

Blair accused of softening line on IRA

By NICHOLAS WATT, CHIEF IRELAND CORRESPONDENT, AND PHILIP WEBSTER

TONY BLAIR was accused by the Ulster Unionists last night of watering down his stance on disarming IRA terrorists as part of secret negotiations with Sinn Féin to win a ceasefire.

The Prime Minister was given a blunt warning by David Trimble, the Unionist leader, that his efforts to save the Northern Ireland peace talks would fail unless he toughens a paper on decommissioning agreed by the British and Irish governments.

At a tense hour-long meeting in Downing Street, Mr Trimble said he would vote against the 12-page agreement unless it was amended by Wednesday's deadline. Such a move would lead to the collapse of the year-old multi-party talks at Stormont because they cannot move onto substantive negotiations until the parties have reached agreement on IRA weapons.

Mr Trimble last night published a letter from the Northern Ireland Office to Sinn Féin dated July 17, which he said proved that ministers had weakened their demands on decommissioning in the hope of achieving an IRA ceasefire.

Mr Trimble was shown the letter before his meeting with Mr Blair.

Within hours of the leak, the Northern Ireland Office also published the letter, fearing that it was being misinterpreted. It was sent by Ombudsman Thomas, its political director, to Martin McGuinness, the Sinn Féin MP for Mid-Ulster.

It was a serious setback to Mr Blair's new initiative in



Trimble: tense meeting in Downing Street

Northern Ireland. Mr Blair and Mr Trimble will meet again early next week in an attempt to keep the fragile process moving.

The four-page letter made clear that Republicans would be invited to substantive political negotiations simply on the basis of an IRA ceasefire. The process of decommissioning would only have to begin once progress was made in the political talks. This is in line with the arms report of 1995 drawn up by Senator George Mitchell, which has won Mr Trimble's qualified support.

However, Mr Trimble accused the Government of reneging on a commitment made in the first draft of the Anglo-Irish decommissioning paper on June 25, that the political parties at the talks would be able to review progress in decommissioning every two months.

The letter published yesterday simply said: "The joint proposals would also provide

a regular review mechanism to consider developments across the negotiations as a whole and to consider whether the necessary confidence and momentum towards agreement is being sustained."

Mr Trimble said that this was weakened even further in a statement to the Stormont talks on Wednesday by Paul Murphy, the Political Development Minister. Mr Murphy said that the review sessions would give parties a chance to assess whether progress was being made.

He added: "If there were genuine worries on that score the Anglo-Irish proposals envisage that the independent chairmen, as a group, might have a role to play in indicating the need for progress on particular issues in order to sustain the necessary momentum."

Mr Trimble said that this sentence deprived him of his "communication cord" which would allow him to stop the talks if he was dissatisfied with progress on decommissioning.

Ms Mowlam, the Northern Ireland Secretary, denied a weakening in the Government's stance. She said that the letter to Sinn Féin was designed for the "sole purpose" of clarifying a number of points for the party. "I have no intention of allowing the Government to be drawn into open-ended exchanges with Sinn Féin as a stalling tactic and would be surprised if any new and significant points of clarification were now to emerge."



The Masters champion Tiger Woods makes a birdie putt on the 18th green in the Open at Troon yesterday. His first round was a one over par 72. Report: page 45

New suspect arrested over mother and child murder

By JOANNA BALE AND STEWART TENDLER

DETECTIVES hunting the killer of mother and daughter Lin and Megan Russell arrested a man yesterday in connection with their murders a year ago.

The unnamed suspect, in his mid-thirties, was held at an address in Kent's Medway area at about 8.30am and taken to Chatham police station. His arrest came after an appeal for information by the BBC's *Crimewatch UK* programme last week on the first anniversary of the crime.

The broadcast prompted more than 1,000 calls and several new names were put forward. Police say the arrested man was one of these.

Mrs Russell, 45, and her daughters Josie, nine, and Megan, six, were on their way home from a school swimming gala in Goodnestone, Kent, when they were attacked by a man wielding a hammer. Mrs Russell and Megan died at the scene but, in spite of extensive head injuries, Josie survived and has been able to give police vital clues.

Last week's appeal included new video footage and photographs of Josephine playing at her new home in Wales, where she lives with Shaun, her father. One Kent detective said yesterday: "The man is being interviewed about the murders, but we do not know how it is going to shape up. We are not clear at this stage if this is the man."

A police spokesman confirmed that a man had been arrested but added: "What we don't want is for the public to think that this is the end of the inquiry. We would like anyone who may have information, however trivial, to contact us."

The police have 36 hours to question the man and can then apply to magistrates for a

further 36 hours. After a second extension of 24 hours they must charge or release him.

Josephine has been able to tell detectives that the man who killed her mother and sister stopped his car in a remote country lane and demanded money from Mrs Russell. She had none with her, and pleaded with the man not to hurt them, telling Josephine to run for help.

But the man gave chase when she did so and brought her back. He then attacked them all with the hammer after tying them up with one of their swimming towels and their shoelaces. Mrs Russell and Megan died instantly. Their pet dog Lucy was tied to a tree and also killed.

Detectives have begun DNA testing 125 people of the 8,000 people they have already interviewed concerning the murder to try to discover a match to a strand of hair found at the crime scene. This follows the development of new techniques in DNA testing that do not require a root to be attached to the hair. Police confirmed that the testing had begun but said it would be at least three weeks before any results were available.

Josephine's description of her attacker resembles the photo of a suspect seen driving from the scene, but detectives said they had no plans to bring her to Chatham police station to look at the man being held.

In December last year detectives arrested Robert Fryer, 35, actress Joanna Lumley's former gardener, in connection with the murders. Mr Fryer, who was unemployed, lived in Goodnestone. He was released without charge after more than 60 hours.

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Gay serial killer may have struck again

FROM TOM RHODES IN MIAMI

THE FBI was last night investigating possible links between the shooting of Gianni Versace in South Beach on Tuesday and the brutal murder of a homosexual doctor discovered in the bedroom of his nearby home yesterday.

The latest twist in America's nationwide manhunt for Andrew Cunanan, 27, the gay prostitute believed to have killed the Italian fashion designer, came as investigators revealed the serial murderer may have been in the Miami region since early June. And it increased fears throughout the region that Mr Cunanan, described by FBI profile experts as a spree killer who has haunted gay communities from Minnesota to Florida, may swiftly strike again.

Federal agents went to the scene of the second murder in Miami Springs where Silvio Alfonso, a Cuban-born doctor, had been found dead in his red-roofed bungalow.

Mr Alfonso was said by his neighbours to have been an active homosexual who had frequent male visitors. He has two daughters living in Cuba. A white man fitting the description of Mr Cunanan was seen by witnesses running away from the district, ten miles north of the Miami International Airport. He was wearing a jacket and carrying various items, including a set of keys and a brown paper bag which were dropped in his hurry to escape. Police had been alerted by a burglar alarm, tripped as the murderer left the ransacked property.

How Edward III tried to stop female succession

By DALYA ALBERGE, ARTS CORRESPONDENT

A FADED and charred document in the British Library has been identified as a 1376 charter in which Edward III named his successor and stipulated that the Crown should pass only through the male line.

Michael Bennett, the British-born Professor of History at the University of Tasmania, said: "It's so remarkable to get a document like this, a lost piece of a jigsaw in terms of how we've understood the laws of succession to the Crown."

Until the reign of Edward III (1327-77), succession to the throne had been through the male line, unless the monarch had no sons, in which case it went to a male via the nearest female line.

It was not until the reign of Henry VIII (1509-47) that the Acts of Succession formally recognised the right of the female to inherit.

The charred fragment of vellum, a draft declaration by Edward III, is the earliest recorded manuscript laying out the male succession.

"The assumption in England since Anglo-Saxon and Norman times had been that the Crown could pass to and through females. However, the laws of the succession were very unclear, only clarified from the 16th century onwards, with Acts of Parliament," Prof Bennett said.

"What Edward III was trying to do, in line with current trends for the inheritance of dukedoms and earldoms, was to seal up the descent through the male."

Scholars had been unaware of this charter, witnessed by his inner circle at Havering



Edward III: ill king was trying to seal up the descent

Worldwide crash gives e-mail back to senders

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

TENS of millions of electronic mail (e-mail) messages failed to reach their destinations all over the world yesterday when the system crashed for the first time.

Business documents, idle gossip and love letters were bounced back to senders following the malfunction of computers. The system is unlikely to be fully operational until some time today.

Experts believe the scale of the fault is unprecedented with firms likely to have lost huge amounts of money. Nigel Tiley, of BT Net, said: "People across the world are coming to rely on e-mail."

The failure, which happened in the early hours yesterday, was traced to 13 computers worldwide, including one based at Tele House in London's Docklands. The 13 are check centres which verify an e-mail address, such as letters@the-times.co.uk.

When an e-mail is sent, it makes its way first to a regional computer, which then asks one of the 13 check centres whether it recognises the address name. These so-called "slave" computers are under the control of a "master computer" operated by Internic in Virginia, America. Mr Tiley said: "The master computer had sent out faulty data."

Late yesterday a few of the "slaves" were back in service, allowing through some e-mail. In all, an estimated 75 per cent of all electronic mail failed to reach its destination.

Oh Hugo, it's beautiful!

Charles, actually

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The gloves come off as leading lady takes on the shadow boxer

Images of women wrestling in mud would be thought insulting these days, but it is hard for a journalist to describe (without offending codes of modern manners) the special piquancy that is lent to a scrap when the combatants are both female.

Yet in politics the sex of protagonist and opponent matters. Woman beats up Man (Thatcher v Kinnock) plays differently from Man enraging Woman (Alan Clark v Clare Short). The former hints at the mother-in-law or hen-pecked husband joke; the latter

at the literature of unchivalrous brutes. Man slugs it out with Man (Gordon Brown v Kenneth Clarke) conjures images of the boxing ring. And if you deny that Woman v Woman invites the metaphor of claws, elbows and a particularly acid quality characterised more by venom than by violence, then you miss a feature of the contest that does intrude, even if it should not.

Gillian Shephard and Ann Taylor are well-matched. Both are well-spoken and unfailingly "polite". Neither raises her

voice. Both are quick-minded and conscientious. Both are middle-aged, middle class and moderate by temperament and ideology.

And, once a week at half past three on Thursday afternoons, this pair go at each other hammer and tongs, to the horrified amusement of all sides.

Mrs Taylor is Leader of the House. Mrs Shephard is Shadow Leader of the House. The job of House Leader is a weird one — a peculiarly British amalgam of party political manager and Commons magistrate. She must

organise the Government's business timetable for the benefit and convenience of the Government, and at the same time she must act for the Opposition parties and in giving everyone their shout.

These two roles are, of course, wholly inconsistent with each other, but when did the British Constitution ever let that get in its way? A skilful and likeable House Leader can just about square the circle and, in the opinion of some of us, Tony Newton did this for the last Government in an exemplary fashion.

It is too early to assess Ann Taylor. She is under pressure (with her huge majority) to

ram things through; but she starts by being respected and well-liked. Not that that stops Gillian Shephard. A sparrow-like Education Secretary, she has converted herself fast into a sparrowhawk with keen eyes and sharp beak. Offered what some thought a non-job, she is turning it into one of the few posts from which the Government looks vulnerable — to charges of arrogance.

Yesterday, at Business Questions, she was politely merciless. Would Mrs Taylor note that the Welsh Secretary

was ducking inquiries and arrange for him "some basic training in answering questions"? It was, said Shephard, her tone as arch as her eyebrow, "very disappointing to have to remind the Rt Hon Lady that her responsibility is to the whole House."

She put me in mind of a tiny, terrifying headmistress of my junior school. Would Taylor arrange a debate "on the cost of refurbishing the Lord Chancellor's personal accommodation"? Shephard wondered "why this former fat cat needs at the taxpayers' expense, so

lavishly furnished a basket?" Taylor accused Shephard of "carping". The two women looked daggers at each other. Ten weeks down, at least 100 still to go. This could get nasty.

Following last week's sketch ("A bore is born") about Norman Baker (Lib: Dem. Lewes), I must update you on the expanding horizons of Mr Baker's counsel. This week we have had his views on ethical investment by the Church, and the criteria for prosecution by the Crown Prosecution Service.

TONY WHITE

Pensions review aims at fairer deal for women

Jill Sherman on radical retirement proposals

WOMEN who spend several years out of work while caring for relatives would be entitled to pension credits under proposals being examined by the Government.

Harriet Harman yesterday announced a review of pension provision, with the aim of helping many low-paid workers, particularly women. The review, which will cover the basic state pension and the State Earnings Related Pension Scheme (Serps), will focus on plans for a "stakeholder" second pension and a separate citizenship pension, mainly for women.

Ms Harman, the Social Security Secretary, said the citizenship pension would apply to 6.8 million carers unable to contribute to Serps or occupational pensions while unemployed. The main option being considered is that the Government would meet the weekly National Insurance contributions for them.

Women are also expected to benefit from proposals for pension-splitting for divorced couples and for a flexible decade for retirement. Ms Harman said one of the aims of the review was to "narrow the gap between men and women so as to give women more security in retirement".

Under the stakeholder pension, which will also help women, the Government would pay National Insurance rebates averaging £11 a week, ranging from 5p a week to £18, for those who opt out of Serps and join a personal pension scheme.

Although the rebates are expected to be at a similar level to those already given for those opting out of Serps, ministers argue that people will be encouraged to take up the stakeholder pensions because they will levy lower charges.

At present up to 70 per cent of the value of a pension can be taken up by fees. Ministers said yesterday they will impose maximum charges on pension funds, unless they are lowered anyway through market forces.

Women are particularly penalised under current pension schemes because they have to pay extra administrative charges every time they move in and out of work to have families or change to part-time jobs.

Ministers said yesterday that every aspect of pensions would be examined and the review, which will take nine months, is likely to overlap with the Treasury inquiry into the integration of tax and

benefits. They also left open the door to higher rebates if necessary to encourage people to join stakeholder schemes, or introducing an element of compulsion. Tom Ross of Alexander Clay, the financial services specialists, and vice-president of the National Association of Pension Funds, has been asked by Ms Harman to chair a working party of pension experts to contribute to the inquiry. He is in favour of compulsory pension provision.

The National Pensioners' Convention, chaired by Jack Jones and representing more than 1.5 million people, will contribute to the review. Mr Jones, a former general secretary of the Transport and General Workers' Union, said yesterday that he would press for a rise in the basic state pension.

Peter Lilley, the Shadow Chancellor, said that the Government's plans seemed to be "entirely devoid of substance". The review was welcomed by pension users and providers. Gill Pitkeathley, chief executive of the Carers' National Association, said that the idea of citizenship pensions for carers was a "major step forward".

Leading article, page 21

Dilemmas exposed but few solutions offered

THE sundry pension scandals of the 1990s have left the 19 million people saving for their retirement bewildered and confused. The Budget pension tax changes have added to the state of uncertainty.

No mention of Gordon Brown's £5 billion pension tax raid was made in the Secretary of State's announcement. Harriet Harman diplomatically concentrated on the need to reform the whole pension system, with its numerous imperfections.

Her aims are wider than the state pension changes proposed by the Tories shortly before the election. The Conservative plan aimed simply at increasing pension saving, rather than revolutionising the current arrangements.

To illustrate the need for change, Ms Harman highlighted the "widening inequalities" in the system: there is a yawning gap between the pension haves and the pension have-nots. Those who have enjoyed steady, lucrative employment can contemplate a

comfortable retirement. Those in irregular work must depend on the meagre state pension. While £600 billion is invested in company pension schemes, four out of ten adult workers have no savings for retirement apart from the state pension.

The announcement ably underlined the system's shortcomings but delivered few solutions. For example, the life insurance companies and the insurance arms of the big banks are, at present, the only organisations with the systems capable of operating the new "stakeholder pensions" for those on low incomes.

But more than 20 of this industry's biggest names have recently been censured by Helen Liddell, the Economic Secretary, for their delay in

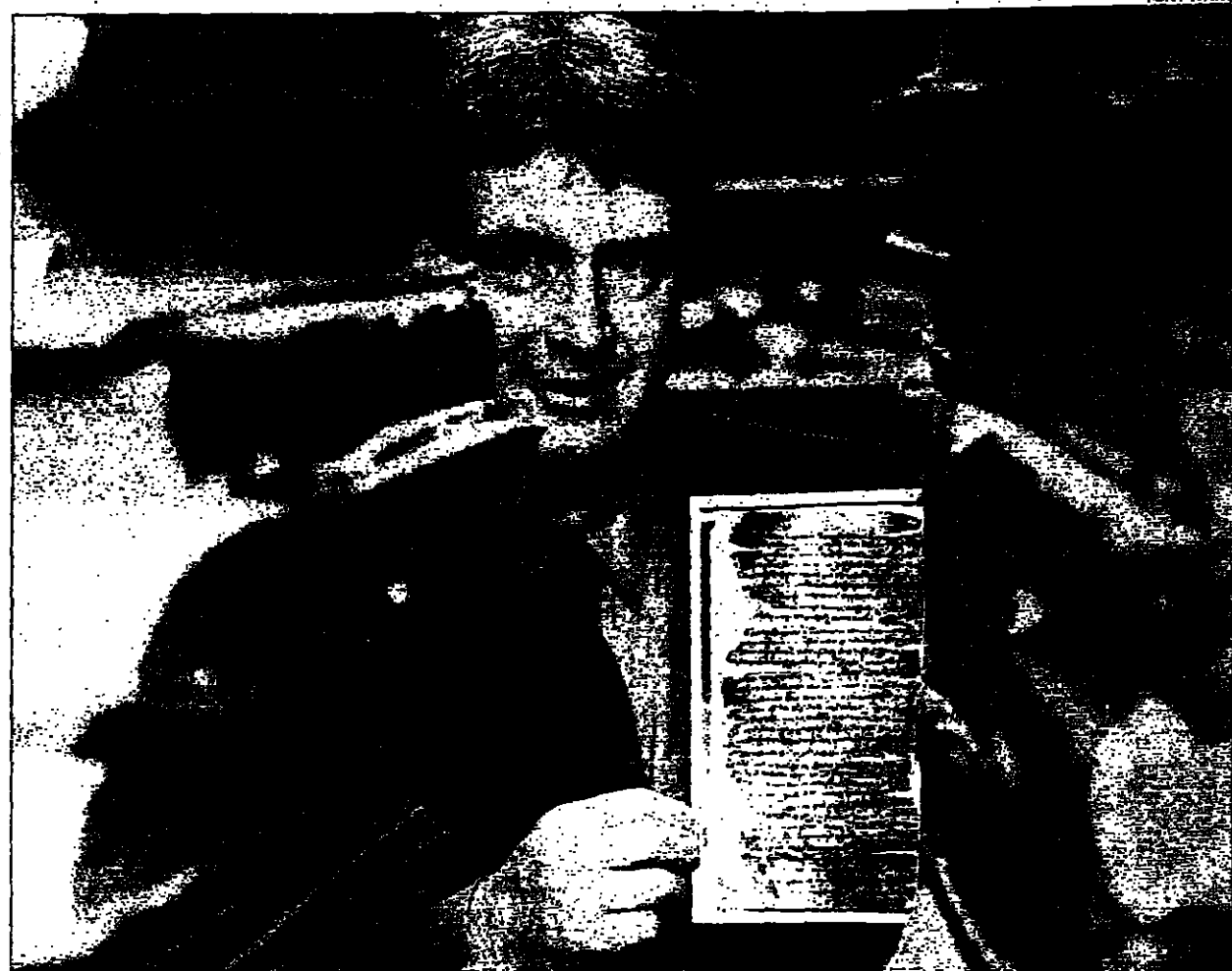
compensating the thousands improperly advised to leave company schemes for poor-value personal pensions.

Perhaps the review will be carefully timed to allow the companies to give recompense to the victims of their mis-selling and to make a firm purpose of amendment.

The life insurers will be anxious to participate in the stakeholder pension market, providing simple, low-cost plans. But how will they be able to justify offering curative plans to one group, while continuing to extract high fees from existing customers?

The Harman announcement did not clarify what kind of organisation would be offering the new wholesome sounding "citizenship pensions" for housewives and carers.

Confusion caused by pensions scandals has left the industry struggling with problems. Anne Ashworth reports



Professor Bennett in the British Library with the Edward III succession document: "a lost piece of a jigsaw"

Edward barred women from throne

Continued from page 1

while researching a book on the politics of the reign of Richard II.

His discovery has a contemporary interest as a Bill seeking to give equal rights to women to succeed to the throne passed its first Parliamentary hurdle in the House of Lords earlier this month. Peers gave approval for Lord Archer to seek the Queen's permission to bring forward his Succession to the Throne Bill, which would overturn the 800-year-old tradition by which sons take precedence over daughters in the Royal Family.

David Starkey of the London School of Economics, a leading constitutional historian, said: "This rewrites the history of the reign of Richard II and the Wars of the Roses... What is unusual is the degree of precision involved. The thing I just found fascinating is the way in which this is the absolute antithesis of what is going on now."

Jeffrey Archer is undoing the work of John of Gaunt, who was one of the chief sponsors of this and one of the chief beneficiaries. It's two centuries separated by 600 years, both dealing with the same question — the nature of the succession and equally for reasons of self-interest."

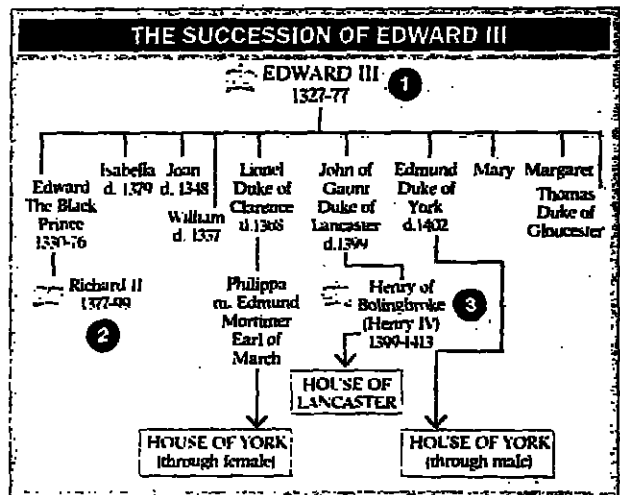
He noted how this casts new light on Henry VIII, in whose reign the moves towards female succession took place. This helps to explain why he was so worried about having Princess Mary as his heir, he said, and why he underwent immense struggles to divorce Catherine of Aragon: "The

actual modern rule — the male first, followed by women in order of birth — was first sketched out in the Succession Acts of Henry VIII."

Professor Mark Ormrod, of the Centre for Medieval Studies at the University of York, said: "This discovery radically alters our view of Edward III's view on the royal succession and has profound implications for our understanding of dynastic politics in the late medieval state."

"It highlights Edward III's concern for the descent of the Crown through the male, a pragmatic viewpoint which runs directly counter to his own claim to the throne of France." Edward III led England into the Hundred Years' War with France, ironically claiming the French throne through his mother, Isabella of France.

The document had been badly damaged in a fire in 1731 at Ashburnham, shortly before entering the British Museum in the 1750s.



Peers inflict defeat over assisted places

By JAMES LANDALE
POLITICAL REPORTER

THE Government last night suffered its second defeat in Parliament since taking office over its plans to scrap the Assisted Places Scheme.

Peers voted to allow children of families who are currently on the scheme to continue having their private school fees subsidised until the age of 13.

The Education (Schools) Bill, which will phase out the scheme over the next seven years, aims to cut the subsidy

when pupils reach 11. This will force some less well-off parents to pull their children out of prep school two years early or make them pay full fees.

Peers voted for the change by 127 to 90 during the report stage of the Bill in the House of Lords.

The Tories said the Government had reneged on a promise to keep the scheme going until pupils already involved reached 13. They quoted a letter written in April by Peter Kilfoyle, then Shadow Schools Minister, to the Incorporated Association of Preparatory Schools, saying: "If a child has a

place at a school which runs to age 13, then that place will be honoured through to 13."

Lord Strathclyde, Tory Chief Whip in the Lords, said: "A promise is a promise. The people voted on these assurances made in the election. The Government may wish to forget that, we won't."

David Blunkin, the Education and Employment Secretary, pledged to overturn the defeat when the Bill returns to the Commons next week. "This is a case of privilege defending privilege," he said. "It will reduce the

money otherwise available from phasing out the Assisted Places Scheme to fulfil our manifesto commitment to reduce infant class sizes."

Government officials said that the Tory amendment would only affect some 400 pupils. The Government has offered to use ministerial "discretion" to allow some pupils to stay on to 13 in cases where parents could show that the pupil had been offered a place on the basis of Mr Kilfoyle's pre-election promise.

Higher education fees, page 6

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Professor breaks down in court

Kathryn Knight hears don tell of family's agonising wait for indecent assault accusations to reach trial

A PHILOSOPHY professor accused of indecently assaulting two students broke down and wept yesterday as he spoke of the "agonising" year his family had spent waiting for the case to come to court.

His voice choking with emotion, Professor John Cottingham, 54, of Reading University, gripped the edge of the witness box and insisted that the claims by the women, then 21 and 23, that he had fondled and kissed them were a pack of lies.

Questioned by Sandra Stanfield, for the defence at Reading Crown Court, he said he had seen no harm in giving the students a lift from the garden party where they had met last July and allowing them into his room to see his manuscripts. Over his 25 years at the university, he told the jury, he had taught hundreds of young women.

Asked by Miss Stanfield if he had ever felt the urge to "run his hand up their legs while simultaneously groping their breasts", he replied that his career would not have lasted long if he had. "One learns to respect very quickly the boundaries that have to be observed when dealing with colleagues and students at work. I have always respected those boundaries."

He dismissed as absolutely ridiculous any suggestion that he was "into" whips, chains and canes after the students claimed he told them he usually possessed a cane.

Cross-examined by Simon Draycott, for the prosecution, the professor denied he had been excited by the women's company and said it did not occur to him to leave them at the faculty building and go to his room alone because he did not assume it was a problem. "With hindsight that's what I should have done and that was an error of judgement... but I consider myself open and

responsive to students. I've never been aloof or been one of those teachers who says 'don't bother me' and I've never been taken advantage of in that way before."

He also denied he had touched the girls believing he had their consent. "There's no truth in that whatsoever," he told the court.

His wife Myra, and daughter Joanna, 17, who together with his son Matthew, 20, have attended each day of the trial, broke down in the public gallery as he was led back into the dock from the witness box. The jury then heard from character witnesses, including the Marquess of Aberdeen and Temair, the Principal of Newnham College, Cambridge, and a former student.

Lord Aberdeen, who has lived near the professor and his wife in Upper Basildon, Berkshire, for 15 years, said they were a "most close-knit couple" who were highly esteemed locally.

Onora O'Neill, Principal of Newnham College, Cambridge, told the court she had known Professor Cottingham for ten years, and had often met socially at conferences. "There is plenty of opportunity for people to reveal inappropriate or predatory behaviour. In Professor Cottingham's case that never crossed my mind or anyone else I know."

Penelope Mordant, a 24-year-old philosophy graduate and former student, union president at Reading, said she had handled a number of complaints against academics in her capacity as student adviser but had no hesitation in coming forward to support Professor Cottingham, who had taught her for three years.

She had attended a conference at Oxford on her own at which the professor was also present. She described his attitude towards her as paternal and said he was anxious to



Professor Cottingham leaving court with his wife, Myra, daughter Joanna, and son Matthew. Earlier he broke down while giving evidence

make sure she was at ease. She had never felt threatened in his presence, she said.

Michael Proudfoot, head of the philosophy department at Reading University, said there had never been any complaints against him in the 25 years they had worked together. He had been the driving force behind the department's development.

The trial was adjourned until Monday.

Baby died after fall on floor, says carer

By PAUL WILKINSON

A REGISTERED child-minder accused of killing a baby in her care by throwing her against a hard surface yesterday admitted she had dropped the four-month-old girl.

Angela Lee, who has two children of her own, admitted lying to the parents of Danielle Firth, hospital staff and the police about the incident at her home in February last year when she claimed the child toppled out of her chair. The prosecution has accused her of attacking Danielle because she was fractious.

Mrs Lee, 46, who had been praised by Kirklees social services the previous autumn, told Leeds Crown Court: "I dropped her on the kitchen floor. I've never dropped a baby in my care before, not even one of my own."

When asked why she had not revealed this before, she whispered: "I was so frightened. Once you tell a lie you have to continue with it."

She thought she might lose her child-minding licence and possibly have her own children taken from her.

Mrs Lee, of Denby Dale, west Yorkshire, who denies murder, said she cuddled Danielle after the fall and checked her for bruises but found none. When she looked at the child 45 minutes later, she saw something was wrong and rang for help.

The girl's skull was later found to be fractured in two places. The trial continues.

Widow and daughter accused of murder

By STEWART TENDLER
CRIME CORRESPONDENT

THE widow and stepdaughter of a millionaire businessman who was shot outside his home were charged yesterday with his murder.

Richard Watson, 55, was killed as he climbed from his sports car at his \$400,000 farmhouse in East Grinstead, West Sussex, in December.

His widow, Linda Watson, 43, will appear before magistrates at Haywards Heath, West Sussex, today with Amanda London-Williams, 22, a ballet teacher.

Mrs Watson was arrested as she arrived at Gatwick on a flight from Scotland yesterday. Her daughter was detained in Brighton. Earlier this year they were arrested for questioning and released on police bail.

Mr Watson had a computer company based in East Grinstead. His son Julian, 28, helped to run the business and has taken control of it since his death. After the shooting there was speculation of links to East European mafia groups.

Mrs Watson, a former Miss Arbroath and Miss Scotland finalist, married her husband in 1986. She offered a £10,000 reward for information leading to the arrest and conviction of his killer. In January Mrs Watson said: "My life ended on December 10 with the death of the man I so deeply loved."

An appeal for information was also made on the BBC programme *Crimewatch UK*.

Thieving cleric is stripped of luxury assets

By SHIRLEY ENGLISH

A CLERGYMAN who funded a life of luxury for himself and his family using public funds earmarked to help the unemployed in his parish was fined £60,000 yesterday.

Dr Michael Bunce, 47, former Provost of St Paul's Episcopal Cathedral in Dundee, escaped a prison sentence but was ordered to sell his \$105,000 family home to pay his fine after being found guilty of embezzling more than £44,000.

He also agreed to hand over a Mercedes and antiques and paintings he purchased with funds belonging to the St Andrew's Businessmen's Association, a limited training company he set up with local businessmen to help the jobless to find work. The goods will be auctioned and the money given back to the community he cheated.



Bunce embezzled more than £44,000

Sentencing him at Forfar Sheriff Court, Sheriff Kevin Veal said he had decided not to send Bunce to jail because once he had served his sentence he would be free to resume his former lifestyle largely unaffected. Instead he should be stripped of his assets.

But he added that Bunce would be jailed for two years if the fine and a compensation order of £3,800 for a bank overdraft were not paid by October 31.

Bunce refused to apologise for his crime as he left court yesterday with his wife Frances, 42, a supply teacher, and daughter Naomi, 18. He had been found guilty three weeks ago, after a five-week trial, of embezzling £44,103 from the association, which he had founded in 1985 when he was Rector at St Andrew's Episcopal Church.

The court was told that he went on a three-year spending spree from 1989, buying fast cars, antiques, paintings and fine wines, flying and shooting lessons, nights at the Ritz and Park Lane hotels in London and parties for his son and daughter.

Yesterday, Sheriff Veal said Bunce was guilty of embezzlement on a "truly grand scale". His family's fall from grace had been "catastrophic". The clergyman has been suspended from his post and ordered to leave the Dundee rectory within two months.

Kazakhstan at a crossroads over invasion of TV soaps

By CAROL MIDDLEY, MEDIA CORRESPONDENT

A SOAP opera called *Crossroads*, which was funded by the British Government to introduce the merits of free enterprise to Kazakhstan, has become a runaway success watched by more than a third of the population.

The programme, an amalgam of British soaps such as *EastEnders*, *Coronation Street*, *The Archers* and the 1970s show *Crossroads*, achieves regular audiences of five million and is the third most popular programme in the country.

Scripted initially by British

writers including Tony Jordan of *EastEnders*, the soap was intended as a way of helping people adapt to the market economy after the collapse of the Soviet Union. Now the republic is kept riveted by the fortunes of Askar, an Afghan war veteran who runs a newspaper kiosk in the capital Alma-Ata, Igor and Svetlana, who run a *Crossroads*-type motel and the problems of their respective families.

Single parenthood, marital strife, family disputes and financial problems have be-

come staple fodder for the soap which is celebrating its 160th episode. But there are also moral messages. A man suffering from leukaemia caused by the Chernobyl disaster refused to accept a wheelchair from his brother because the money came from a protection racket.

The show's success is examined in a BBC Omnibus programme, *East of EastEnders*, to be screened later this month. The Department of International Development said its popularity had far exceeded expectations.

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Teenage 'agents' to trap shops selling alcohol illegally

The Government is tightening the law to curb underage drinking but will not ban alcopops, reports Richard Ford

TEENAGERS will be sent into shops to see whether they can buy alcohol as part of the Government's drive to curb underage drinking.

They will act as undercover detectives for local authorities which will then have the evidence to prosecute shops and bars selling alcohol to those under 18.

The youngsters will be sent into shops to see whether they can buy alcohol in a system that already operates to check on the sale of cigarettes and lottery tickets. Most of the young people helping the authorities will be the children of police and local government officers. They will not be paid.

The law in England and Wales is also to be brought into line with that in Scotland, making it an offence for adults to buy alcohol from a shop or off-licence at the request of an unsupervised youngster. From next month the police

will also be able to confiscate alcohol from those under 18 found drinking in public.

But the Government has decided against banning alcopops, in spite of mounting concern that they are being used to entice young people into drinking.

The planned changes to the law, which the Government hopes to bring in during the current session of Parliament, are being backed by self-regulatory measures put forward by the drinks industry.

George Howarth, a junior Home Office Minister, warned the industry that if self-regulation failed, ministers would take further action to deal with underage drinking. He refused to disclose what that might be.

Ministers hope that the existing proof-of-age scheme, currently issued at the rate of 7,000 a month, will be extended with the result that all 18 to

20-year-olds will be forced to produce identification before buying alcohol. The voluntary scheme, run by the Portman Group, an organisation financed by the drinks industry, costs £500,000. Retailers have promised extra cash for the scheme but have so far failed to produce a figure.

Under the terms of the new code of practice retailers will be urged not to stock alcopops or any other alcoholic drinks deemed to be targeted at under-18s. The code, drawn up by the Portman Group, bans labels suggesting links with illicit drugs or sexual prowess and rules out images of people who appear to be under 25. It also bans the use of bright colours or child-like lettering as has been used on some bottles of alcopops.

The Magistrates' Association is to join in the assault on underage drinking by urging licensing authorities to take



Teenagers in north London drinking alcopops. From next month the police can confiscate their drinks

into account whether a retailer has followed the code of conduct when deciding whether to renew his licence.

Jean Cousins, director of the Portman Group, said they believed the two-pronged offensive would stop alcohol falling into young hands. But other groups questioned

whether the Portman Group would be able to police its own code. Sarah Berger, director of Drinkline, said: "We have seen over and over again that there are plenty of drinks manufacturers and retailers who will put profit before social responsibility."

Evidence published by the

Home Office yesterday said that it was impossible to say whether alcopops did encourage youngsters to start drinking. It showed that young people still preferred cheaper drinks such as beer and cider to the more expensive new alcohol beverages. But research has shown that child-

ren are drinking more frequently than before and a quarter of 12 to 13-year-olds and nearly a third of 14 to 15-year-olds admitted having drunk alcopops in the previous week.

Only 20 per cent of 15 to 17-year-olds said they had been refused alcohol by a retailer.

Boy, 14, vanishes with friend's mother

By Stephen Farrell

AN INTERNATIONAL hunt was under way yesterday for a 14-year-old schoolboy who disappeared with his best friend's mother.

Ferry companies and airports were put on alert for Sean Kinsella and Tracey Whalin, 33, after they vanished from their homes in Nottingham on Monday.

Concern grew after police learnt that Sean, a promising footballer said to have had trials with Premiership clubs, was issued with a passport in his own name in Peterborough at 4pm the same day. Last night Sean's widowed mother, Beryl, was upset by the disappearance. Mrs Whalin's husband, David, 37, her son Ross, 14, Sean's closest friend and her two other children were also shocked.

Nottingham police said that despite extensive inquiries in Britain and abroad through Interpol there had been no contact and no sightings of the pair since Mrs Whalin left her home in her P-registration Ford Mondeo at 7.30am on Monday.

An hour later Sean left his mother's house two miles away, in school uniform, apparently heading for Bramcote Hall School. He was missed half an hour later when his mother, a barmaid, noticed clothes missing, and contacted the school to be told that he had not arrived.

Detective Inspector Ian Waterfield confirmed that Sean had often spent the night at the Whalins' home with Ross and that he had "become like one of the family to Tracey and David".

Mr Waterfield appealed for sightings of the green Mondeo, registration number P520 ETO. He said: "I would ask her to think of the pain that the families are suffering at the moment." If she contacted him, he said, she would be treated "with sympathy".

Schoolfriends said Ross had been visibly upset since Monday but refused to say why. Ian Sami, 14, said Sean always had a girlfriend until recently. "He has loads of mussels and all the girls love him."

Survey exposes myth of the feckless and absent father

By Alexandra Frean, Social Affairs Correspondent

MEN are becoming fathers later in life and are devoting more time caring for their children than previous generations, according to research published yesterday.

The study by the Family Policy Studies Centre shows that just 1 per cent of teenage men are fathers compared with 5 per cent of teenage women. By their late twenties fewer than 37 per cent of men have fathered a child, compared with more than half of all women. Six in ten fathers reached their thirties before having their first child.

Despite public concerns that working parents find it hard to find time for family responsibilities, *Fathers and Fatherhood in Britain* says that both

men and women are spending more time on child care than they were 30 years ago, particularly where both parents work. Time spent on child care rose fourfold for men against two and a half times for women between 1961 and 1995.

Lynda Clarke, one of the report's authors, said: "We know, anecdotally, that men are having children later in life — partly because women are — but this is the first time it has been measured how many men are fathers and at what age they become fathers."

The study shows that fathers are still the sole or main breadwinner in 64 per cent of two-parent families. Despite the increase in family breakdowns over the past 30

years, more than 80 per cent of fathers live with all of their own, biological children. One in eight fathers was not living with any of his children.

Ms Clarke said: "The fact that so many fathers are still living with their partners shows that fathers are perhaps not being as feckless as is often thought."

She added that the research exposed the confusion about the role of the father, who is expected to do more of the caring but still be the main breadwinner. Some unmarried fathers now felt there should be a direct link between a father's obligation to make a financial contribution for his children's care and his right to have contact with them.

Blood, sweat and spoil

THE newest part of England, created from the sweat and spoil of the Channel Tunnel, was opened to the public yesterday.

The 87 rolling acres of Samphire Hoe took six years to pile up below Shakespeare Cliff, west of Dover, using 4.9 million cubic metres of excavated chalk marl.

Among the 100 guests at the opening ceremony was Jill Janaway, a former teacher who won a competition to name the hoe. Her suggestion came from *King Lear*, where Shakespeare describes someone clinging precariously to the cliff face to pluck samphire, a culinary herb that has now been planted on the hoe: "... halfway down / Hangs one that gathers Samphire, dreadful trade!"

Vets admit battle to keep quarantine laws is over

By Michael Hornsby, Agriculture Correspondent

VETS abandoned their long-standing defence of the quarantine laws yesterday, saying that they reluctantly accepted the inevitability of change.

The British Veterinary Association said, however, that it would not join the campaign for change and would press the Government to conduct a feasibility study of the efficacy of alternative controls.

The association estimated that the number of dogs and cats imported would rise from 9,000 a year to more than 360,000 if quarantine rules were relaxed. Ted Chandler, the association's vice-president, said yesterday: "While the science is now available to justify a new approach in theory, the capacity and com-

mitment to enforce a new system in practice is quite another matter."

"It should not be forgotten that eradicating a single outbreak might cost the public purse £4 million, plus the costs of disruption to individuals and business, possibly for several months. The veterinary profession will be on the front line, not only in ensuring that any new system works but also in the event of any breakdowns."

The Government is considering a system of controls based on anti-rabies vaccination and blood tests to prove the vaccine has taken. Imported pets would have to have certification showing the procedures had been carried out.

Only animals from the European Union and countries elsewhere with rabies-free status would qualify for entry under the new system.

In a report to the Government, the association says importation of animals should be allowed through only a small number of ports and airports with authorised vets on site. Random blood tests should be carried out for a number of years to check adherence to the vaccination rules.

The new system should be funded mainly from licence fees paid by anyone importing a pet, the association says. A crucial element must be microchip identification of dogs and cats, it adds.

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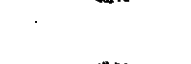
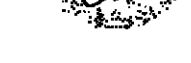
2. Check you've got all the pages you need by filling in page 2 of your tax return. If you find you need any extra pages, just call our Orderline on 0645 000404*. It's open between 8am and 10pm every day.

3. Get all your tax records to hand, such as bank and building society statements and share dividend vouchers. If you're on PAYE, you'll need your P60 or P45 Part 1A. You may also get a P11D (which covers work-related benefits) from your employer.

4. Fill in the form by following the step-by-step guidance notes. Make sure you understand them before putting pen to paper.

5. If you need help, contact your tax office — the phone number is at the top of your tax return. Or, in the evenings and at weekends call the Self Assessment Helpline on 0645 000444*.

6. Check that you've filled in everything you need to — and don't forget to sign the completed form before sending it off. Now give yourself a pat on the back. That wasn't too painful was it?



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Boy, 14, vanishes with friend and mother

TV antiques expert wins £200,000 after 'betrayal'

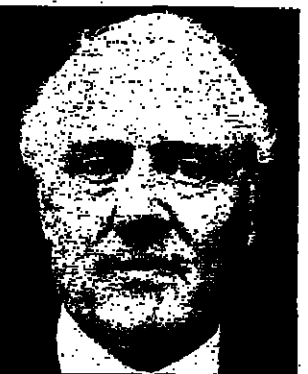
By Adam Friesco

A FINE ART expert who appears on television's *Antiques Roadshow* yesterday won more than £200,000 damages in the High Court as a judge delivered a scathing attack on a leading dealer.

Peter Nahum had taken the Royal Holloway and Bedford New College, Surrey, to court, claiming that it did not pay his 2.5 per cent commission for introducing the buyer of a Constable oil sketch, *View on the Stour*, which sold for £6.7 million in 1993.

Alan Hobart, who was acting for Sir Graham Kirkham, a multimillionaire collector and eventual buyer of the painting, was accused by the judge of "blatant lying and devious actions". It was said that Mr Hobart tried to cut Mr Nahum, his friend of 20 years, out of the deal, claiming he had done everything himself.

Mr Nahum had an agreement with the college to find buyers for three paintings that were being sold to raise money for restoration work on the college. A Turner went to the



Nahum, left, and Hobart had been friends for 20 years

Getty Museum for £11 million in September 1993 without any involvement by Mr Nahum. He then introduced Sir Graham to the college as a potential buyer of a Gainsborough, *Peasants Going to Market*, which sold for £3.5 million. Mr Nahum was paid his 2.5 per cent commission of £87,500.

Mr Hobart told him that Sir Graham was not interested in the Constable. Mr Nahum later read in an arts magazine that he had bought it. The college refused to pay commission, saying Mr Nahum had

had nothing to do with the sale.

Judge John Prosser said that Mr Hobart had told the college that he had dealt directly with the sale of the Constable and that it was "a completely separate deal", so there was no need to use Mr Nahum.

"This was an unscrupulous and totally callous use of one man by another — of Mr Nahum by Mr Hobart," the judge said. "If one scrapes away the veneer of deceit, one can see a clear path from Mr Nahum to the purchaser of

both paintings." The action of Mr Hobart, who runs Pym's Gallery in London, was "a sad betrayal of a very close friend of 20 years", the judge said. Mr Hobart had tried to mislead the court into believing that the Constable had not been bought by Sir Graham.

Judge Prosser said that "Mr Nahum was an honourable man, a straight-dealing man, a sensitive, intelligent man who has a reputation higher than most in the art world."

"I would not rely on Mr Hobart's word for anything in this case. It is very clear, in my view, that there was an agreement with Mr Nahum and the college."

The judge said he would not allow such "deviousness" to deprive Mr Nahum of his commission. He was awarded £196,800 plus interest.

Mr Hobart said after the case, from his gallery in London: "I don't think the judge actually grasped the full case and how it was structured. He did not understand the transaction and how it was set up. I do not retract anything that I said in the witness box."



Jubal, a male snow leopard, greets the public for the first time at Marwell Zoo, Hampshire, yesterday. Jubal and a female, Ella, were born at the zoo in May and were making their debut in the main enclosure after vaccinations. Snow leopards are an endangered species from the highest mountains in central Asia with only a few thousand left in the wild.

Doctor struck off over bogus drugs trials

By Lin Jenkins

A DOCTOR who tried to defraud a drug company of £40,000 by carrying out bogus drugs trials on his patients was struck off for serious professional misconduct yesterday.

John Anderson, 63, put his patients through months of anguish as investigators sought to unravel the fraud over the new drug to treat heart and kidney disorders. None knew if they had been given it without consent.

Dr Jeremy Lee-Potter, chairman of the General Medical Council's disciplinary committee, said: "The facts demonstrate that you repeatedly behaved dishonestly. In doing so you undermined the reputation of the medical profession and damaged the confidence of the public in the integrity of scientific research."

Rosalind Foster, barrister for the GMC, said that Dr Anderson, a consultant in the renal unit at the Western General Hospital in Edinburgh, persuaded a young colleague to take part in his fraud over tests on the drug Amelodipine, marketed by Pfizer of Sandwich, Kent. Miss Foster said that Dr

Anderson, of Edinburgh, who admitted serious professional misconduct, was approached by Pfizer as an investigator in a study in which some of 32 patients were to be given the drug while others received a placebo.

Investigators became suspicious, however, when they noticed several anomalies in patient consent forms, witnessed by the doctor's clerical officer, Maureen Johnston.

Dr Anderson, a member of the International Society on Nephrology and the European Dialysis and Transplant Association, had told Mrs Johnston that the patients had agreed to the trial. She said she had never seen any of them. He forged 17 consent forms and did not give them the drug. Miss Foster said the doctor stood to make £40,000 out of the deception. "The clinical trials were a sham from beginning to end," she said.

She said that after the deception was uncovered, the hospital took immediate steps to allay the fears of heart and kidney patients, some of whom must have feared that they had been the unwitting recipients of drugs.

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Students must pay tuition fees from September 1999

TUITION fees for higher education will be introduced in September 1999, subject to final agreement by the Cabinet next week.

Proposals for fees of up to £1,200 will be the subject of consultation over the summer and legislation could not be introduced until late autumn. But with students beginning to apply in September for places the following year, the Government would risk defeat in the courts if it abolished free tuition immediately.

Downing Street emphasised yesterday that parts of Sir Ron Dearing's report on higher education would be "refined" after it was published next Wednesday. But education ministers are convinced that fees of up to £1,200 are unavoidable if universities are to avoid a financial crisis.

Government gives a year's grace, reports John O'Leary

from poor backgrounds. All applicants would face a means test. However, denying some students access to loans could magnify the middle-class backlash which ministers fear when they announce the introduction of fees and the loss of maintenance grants.

The proposals are already attracting fierce criticism. Douglas Trainer, president of the National Union of Students, said tuition fees would be fought "tooth and nail". Universities should look for

more savings before students were required to repay fees, which would deter people from poorer backgrounds.

But Diana Warwick, chief executive of the Committee of Vice-Chancellors and Principals, said students benefited substantially from higher education and therefore should make a contribution to it.

Don Foster, Liberal Democrat education spokesman, said: "We believe that the additional money urgently needed for higher education

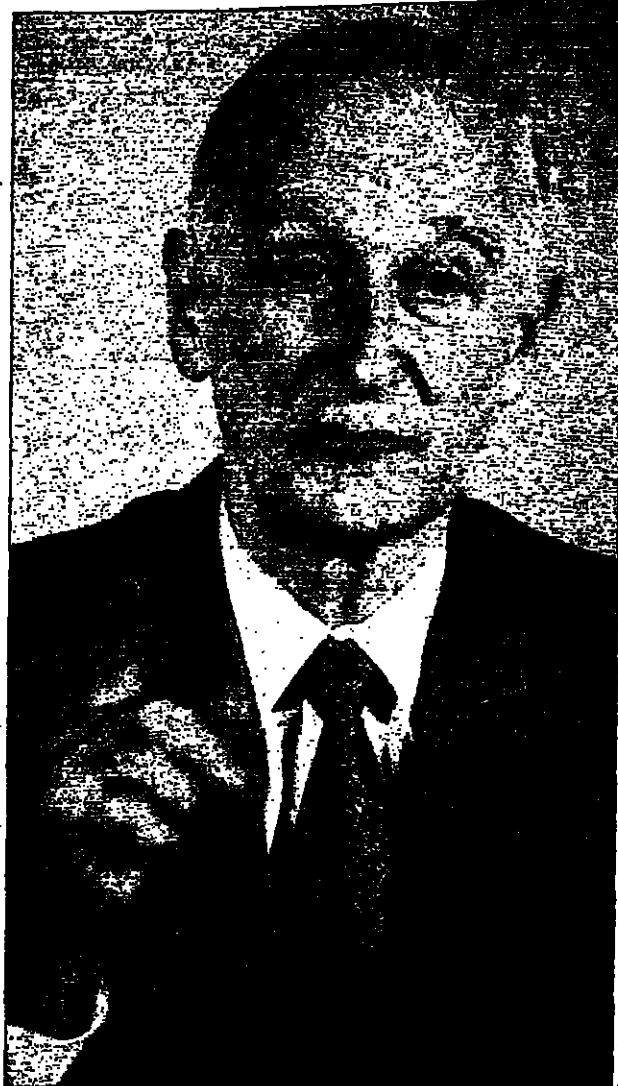
should come from a funding partnership of more money from students, through the conversion of maintenance grants into loans, more money from employers, and more money from the State."

Stephen Dorrell, Shadow Education and Employment Secretary, said that ministers should study Sir Ron's proposals in detail before deciding how to tackle the problem. "It would be regrettable if the Government announced a conclusion before the higher-

education world and other interested parties had an opportunity to consider the various options."

The report was commissioned by Gillian Shepherd, the last Tory Education Secretary, with Labour support. Sir Ron will give a series of options, indicating preference for flat-rate tuition fees. Loans would be repaid over a longer period than the five years expected for existing maintenance loans, and repayments would be "income contingent". All graduates could get a discount for prompt payment, and the establishment of national scholarships would be one option to ensure that poor students were not excluded.

□ Imposing fees on medical students would stop many potentially good doctors from entering the profession, Sandy Macara, chairman of the British Medical Association, said yesterday. "Medical students are already graduating with serious debts and this would deter people who would make good doctors from training," he said.



Sir Ron Dearing's report will be revealed on Wednesday

Poor maths linked to time spent in lessons

By OUR EDUCATION EDITOR

TEENAGERS in English schools make more use of calculators and spend less time on mathematics than those in countries that did better in recent international comparisons.

An investigation by the National Foundation for Educational Research into the possible factors behind sharply diverging performances by English pupils in mathematics and science found that schools in England spend less time than most other countries on mathematics and more than most on science.

The study showed both nine and 13-year-olds from England and Scotland in the bottom third of more than 40 countries for mathematics, but near the top for science.

In mathematics, calculators were used far more frequently in England than in countries such as Japan.

Teachers in both subjects spent more time than their counterparts abroad on marking and administration, and less on preparing tests.

Education, page 37

Divorced fathers' duty to pay

A DIVORCED father's legal battle to cut all financial responsibility for his 20-year-old student daughter ended in defeat in the Court of Appeal yesterday (Frances Gibb writes).

Kenneth Beattie argued that it was "unjust, unfair and illogical" that he should be

forced to pay £155 a month towards his daughter Laura's upkeep. The money, he said, was not needed because she received a full student grant and could work during the holidays. But two judges — who described his argument as "superficially attractive" — told him that the law "express-

ly extended parental liability to maintain children in full-time educational or vocational training".

Mr Beattie, from Plymouth, had already paid towards the upkeep of his elder daughter Nicola when she was at university between 1992 and 1995.

Teachers who fail to keep order face sack in a month

By JOHN O'LEARY AND JILL SHERMAN

TEACHERS who fail to control unruly children could be sacked within a month, according to plans to speed up the dismissal of incompetent staff.

Stephen Byers, the Minister for School Standards, will today give details of a new category of "gross incompetence" to cover teachers who let children run riot in the classroom. The category, which has been proposed by the Local Government Association, covers teachers who showed themselves "totally unable to control a class".

Mr Byers will announce in the Commons a fast-track system to remove those teachers once they have been identified by heads. Within a week of giving notice to a teacher, a disciplinary hearing would have to be held, followed by a speedy appeals system. Mr Byers will argue that at present it can take 18 months to dismiss an incompetent teacher and head teachers often cannot be bothered to instigate the lengthy procedure.

The Education Minister is also expected to outline his proposals for a probationary year for all new teachers, in which they would be expected

to work part-time in schools and attend professional development courses. The new category for dismissal would only come into effect after the induction year, but older teachers would also be vulnerable.

Eamonn O'Kane, deputy general secretary of the National Association of Schoolmasters and Union of Women Teachers, said: "We would be extremely uneasy about it, to put it mildly. How do you define gross incompetence? This procedure could amount to gross injustice."

CORRECTIONS

□ An incorrect statement in the letter from Mrs Jan Herbert (July 4) that the report by Lord Bridge of Harwich on *Synodical Government in the Church of England* referred to "sybaritic" bishops was the result of an editorial error, and was not in her original letter.

□ Thomas Sutcliffe, television critic of *The Independent*, neither attended the General Synod (report, July 14) nor used the word attributed to him.

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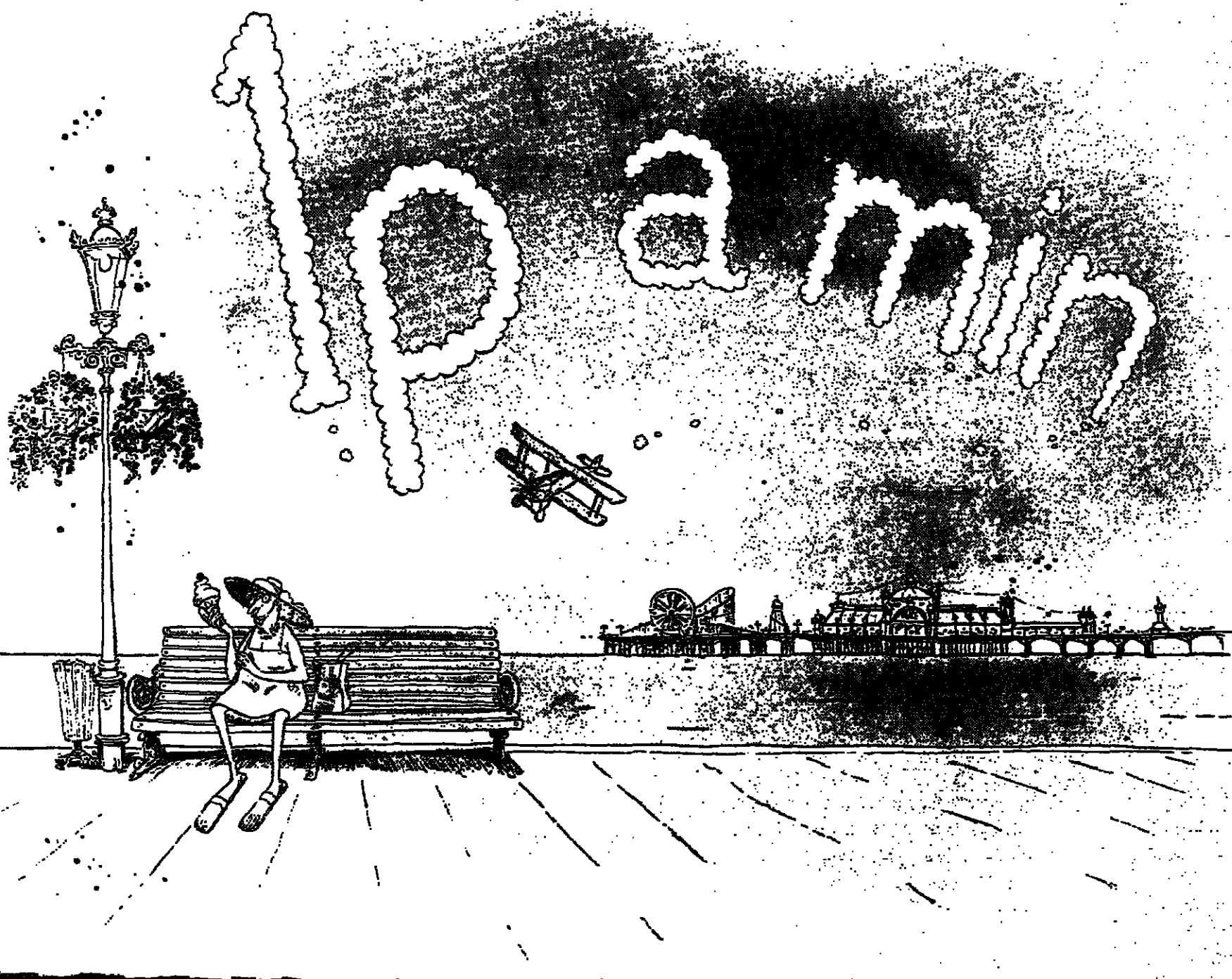
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Tiny drill gives girl the chance of a normal life

By Shirley English

AN EIGHTEEN-month-old girl has become the first child in the world to have pioneering surgery in which a blocked artery in her lungs was cleared by a drill.

Lisa McLean, from Cumbernauld, underwent the operation at the Royal Hospital for Sick Children in Glasgow after conventional treatment failed. Cardiologists used a diamond-tipped drill the size of a matchhead to remove fibrous tissue that was obstructing the flow of blood in her left lung. The operation, previously carried out only on adults with heart problems, took three hours and she was back home within 24 hours.

Neil Wilson, the consultant paediatric cardiologist who carried out the procedure, said yesterday that it had been a success and was now being used to treat other children.

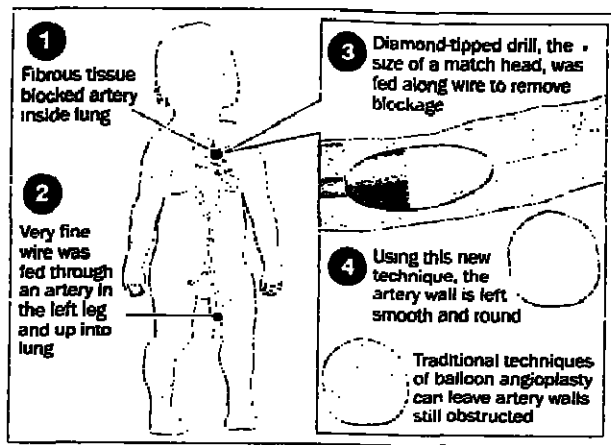
"No one had done it before so we were a little nervous. But obviously we thought the technique would work because it had been successful with adults. There were risks involved: the drill may have punctured the artery, which we explained to her parents, but the benefits far outweighed them," he said.

"Using this technique we have been able to give Lisa back her childhood. She will now be able to ride a bike, go swimming and go to school in the normal way."

Lisa was born a "blue baby" with a rare disorder in which not enough blood reaches the



Neil Wilson, who performed the operation that was previously carried out only on adults



lungs. The condition, which affects one in 20,000 live births, left her breathless and turned her lips and nails blue. It meant that as she grew up she would not have been able to play like other children.

The Rotablator diamond-tipped catheter drill had been used for ten years to treat heart problems and thromboses in the tough, older veins of adults but Dr Wilson was the first to think of adapting the method for use in the more delicate arteries of children.

Concerns that the drill might damage young veins were lessened by the fact that the "smart" drill can differentiate between hard and soft tissue and cuts through hard tissue only.

The operation took place in March when Lisa was 15 months old. First a thread-like guiding wire was inserted into an artery in her left leg. Using

television monitors the wire was passed through the 22mm-wide vessel, up through her leg, past her kidneys and navel and into the problem artery in her left lung.

A 1.25mm drill was then inserted, following the path of the wire to the problem area, where rotating at 200,000 times per minute it removed most of the fibrous tissue. A 1.75mm drill was then used to clear the artery completely.

Yesterday Lisa's mother, Rhona McLean, 32, a bank clerk, said: "We are absolutely delighted with the outcome. Lisa is a mischievous little girl now, full of beans and running around just like any other normal child her age."

She was just ten days old when doctors discovered she had a heart murmur and she underwent an exploratory operation last July. "Although she led quite a normal life in

the first months we knew that couldn't last," Mrs McLean said.

After a failed procedure in October when surgeons attempted to clear the blockage by inflating the artery with a balloon, Mrs McLean and her husband, Kenny, 37, had to decide whether to allow their daughter to undergo an untried operation. "It was a difficult decision to make and we were apprehensive but we trusted the doctors and decided we had to give Lisa a chance," she said.

Although Lisa's condition has vastly improved since the main threat to her health has been removed she will need further surgery, possibly later this year, to unblock other arteries. She also has a hole in her heart. Since Lisa's operation an unnamed 11-year-old boy has also benefited from the treatment in Glasgow.

Future of Scottish Ballet in doubt

By Dalva Alberg

ARTS CORRESPONDENT

THE future of Scottish Ballet, one of the country's leading companies, was uncertain last night after it emerged that the dance panel of the Scottish Arts Council recommended the withdrawal of its core funding.

Only last month the chairman of the Scottish Arts Council expressed anger that Scottish Ballet had rejected cost-cutting proposals to pool orchestral resources with three other national companies. "This places a big question over the future of the company," Magnus Linklater said. He was particularly frustrated by their decision because negotiations have dragged on for 18 months.

The other three — Scottish Opera, the Royal Scottish National Orchestra and Scottish Chamber Orchestra — had agreed to a merger. It was seen as the first step towards avoiding a financial crisis: the combined deficit of the four ensembles is £3 million.

Debra Craine, *The Times*'s dance critic, said: "The company brings ballet to parts of the country that would otherwise not be able to see it. Scottish Ballet has some very fine productions in its repertoire — its version of *La Sylphide* is outstanding — and thanks to the imaginative commissioning policy of the artistic director, Galina Samsova, new and interesting work is being created."

Lisa McLean, who was back at home a day after undergoing three hours' surgery

Hospitals need £500m now to stave off winter crisis, BMA chiefs say

Budget has not satisfied doctors, reports Ian Murray

THE extra £1.2 billion provided in the Budget for the National Health Service will not avert serious problems in hospitals, doctors said yesterday. Unless at least another £500 million is found quickly, the best hope of averting a crisis will be mild winter weather.

"Without the money there will be waits for trolleys let alone waits for beds," Mac Armstrong, secretary of the British Medical Association, said. "We shall see seriously ill patients shuttled round the country in ambulances looking for a free bed."

Sandy Macara, chairman of the BMA, said: "We were relieved when the Budget produced another £1.2 billion but that will not be available until next year. We have a major shortfall now and even if we had a massive amount of money we could not solve the problem overnight."

"We need an immediate injection now to ensure there is no crisis in the forthcoming winter and even then we must pray for good weather and hope that not too many more doctors take early retirement."

"In the longer term, we need £1.2 billion every year for the next five years if we are to be able to provide a decent service."

Dr Macara was worried that the Government was getting "dubious advice from armchair gurus" who were suggesting that extra money

could be found quickly by reorganisation to end duplication of services. "We all agree we want to do that but it will take five to ten years. It is dangerously fatuous to think that the money can be saved quickly."

A letter in the *British Medical Journal* today urges Frank Dobson, the Health Secretary, to set priorities for how healthcare money is spent. Dr Macara, one of seven leading medical figures to sign the letter, said that healthcare rationing was "abhorrent to the profession" but "as it was happening anyway, the Government must take a lead and provide guidance."

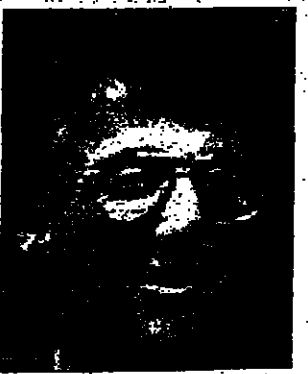
"There seems to be an increasing gap in all health services between what could be offered and what can be afforded," the letter says. "We

have a steady stream of new treatments that offer what is often small benefit at very high cost... Rationing is currently inefficient, inequitable, undemocratic and opaque. Many patients feel as if the availability of services is determined by a lottery with unknown rules. Many of these failures can be laid at the door of the previous Government's reforms but that is not the whole explanation..."

"There must be more equity in healthcare rationing... Decisions about rationing must be taken at every level of the health service, including nationally. The Government should be providing guidance."

Evidence of the parlous state of NHS finances is published today by the National Audit Office. The report shows that between April and December last year the number of NHS trusts in England in financial trouble had grown from 95 to 168, with the number in serious deficit rising from 26 to 47.

The cost of clinical negligence to the NHS was now £200 million a year, with the total expected to rise over the next five years to a total of more than £1 billion. Sir John Bourn, head of the Audit Office, said he was concerned that health authorities and trusts did not make provision for the cost of incidents that might lead to a claim.



Armstrong: "We must pray for good weather"



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Woman with club foot wins back job

By A Staff Reporter

A WOMAN has won back her job at a toothbrush factory after she was fired because she is disabled. In what is thought to be the first case brought under the Disability Discrimination Act, an industrial tribunal decided that Barbara Tarning was unfairly sacked.

Mrs Tarning, 47, who has a club foot, worked at the Wisdom factory in Haverhill, Suffolk. But last year, after 16 years there, increasing pain in her legs and hips forced her to take four weeks' sick leave.

The tribunal at Bury St Edmunds ordered her reinstatement and told Wisdom to pay her £1,200 for injury to her feelings. She now uses a special chair at work.

Spurs team doctor loses job claim

Club attacks claim that it ignored warning over head injury to Jurgen Klinsmann, reports Michael Horsnell

A FORMER team doctor at Tottenham Hotspur, who claimed he angered officials at the football club when he tried to stop the German star Jurgen Klinsmann from playing with a head injury, yesterday lost a claim for unfair dismissal.

Patrick Keating claimed the club ignored his demand for the player to see a brain specialist after he was knocked unconscious in his first match for the club and later showed signs of an epileptic fit.

The club accused the doctor of being a "bitter and vindictive" man who had used the tribunal to spread wild and

hurtful allegations. The GP, who runs a general practice in Enfield, north London, alleges that Alan Sugar, the chairman, and Claude Littner, the chief executive, were more concerned about the share price than the welfare of players.

But his case was dismissed at an industrial tribunal after the Premiership club argued that he was not an employee under the terms of the 1996 Employment Rights Act. Murray Creed, chairman of the tribunal, ruled that he was engaged as an independent contractor supplying medical expertise who was paid fees rather than a salary. Dr

Keating, 44, who was first-team doctor from 1994 to 1996, said later that he planned to take his case, which includes alleged breach of contract and unauthorised deductions from his fees, to county court.

John Ireland, the club's company secretary, said afterwards: "The suggestion that Alan Sugar or Claude Littner would put share price considerations before players' well-being is untrue."

Dr Keating said that he would have welcomed the opportunity to expand and be cross-examined on his statement, including the Jurgen Klinsmann incident. "Klinsmann gave me his consent in writing to refer to the incident in the English courts."

Klinsmann, who now plays for the Italian club Sampdoria, was knocked unconscious for three minutes after a clash of heads with Des Walker, a defender, in a match against Sheffield Wednesday on August 20, 1994.

Dr Keating resigned from his part-time post, for which he was paid £13,000 in the 1995-96 season, after claiming that Spurs effectively swapped his role with that of Mark Curtin, his deputy. But the tribunal accepted that the two doctors, who work at the same practice, were joint club doctors. Dr Keating told the tribunal: "I was constructively



Klinsmann is carried off after being knocked unconscious on his debut against Sheffield Wednesday in August 1994

dismissed precisely because I was not prepared to bend the rules and compromise the health of players." He said his relationship with Mr Sugar and Ossie Ardiles, the manager at the time, had deteriorated after Klinsmann's injury. He

had recommended the player should not play again until he had seen a neurologist but he claimed club officials ignored the advice.

He said that Tony Lenaghan, the club's physiotherapist, had told him the

club was angry and that he should keep a low profile. He added: "Ardiles had been demanding my sacking at board meetings. The club felt that somehow I was a loose cannon."

Thomas Croxford, counsel for the club, told the tribunal that Dr Keating's claims were being used to intimidate the club and "to strike at the most sensitive matters for a football club — the care of its players. He has sought to bring the club into disrepute."



Patrick Keating, left, claimed that the former Spurs manager Ossie Ardiles had demanded he be sacked

Police hunt phone-pest 'headmaster'

By RUSSELL JENKINS

POLICE have joined forces with BT investigators to track down a telephone pest who poses as a headmaster to terrorise young boys. The telephone menace, well-spoken with an "old fashioned" manner, tells the boys that they have been naughty and must report to his office to be slipped or thrashed.

So far he had made no attempt to follow up the calls with personal contact but he appears to research meticulously his targets in and around Manchester.

Greater Manchester Police issued a public warning that the content of his calls was becoming more disgusting and were causing "great distress" to the boys

and their parents. The man orders the boys to call him "sir" before making degrading suggestions.

He has targeted at least 76 victims, dating back to July 1994. The latest was three weeks ago. Calls to BT's nuisance-call office reveal that the man was calling eight victims a month. The calls were made either at 8am or about 4pm between Monday and Friday, never at weekends. All the calls have been made from public telephone kiosks in central Manchester. He manages to convince parents to hand over the telephone to their children with his clipped accent and plausible approach.

One father of an 11-year-old victim said: "The man had opened up by telling him

he had been naughty boy and that he was to be punished. He told us how the man demanded to be called 'sir' and how he would administer corporal punishment in his office after taking down his trousers."

The father added: "I feel in some way that I let my son down and that I let this man con me."

Officers have launched Operation Headmaster using new technology to track down where the calls are being made from. Sergeant Steve Cross, of Greater Manchester Police, said: "This man has so far made the lives of 76 young victims and their parents hell." He urged children who received a strange call to log the time and content.

Horse welfare threatened

By MICHAEL HORSNBY
AGRICULTURE
CORRESPONDENT

THE welfare of thousands of horses and ponies is threatened by a European Union rule that classifies them as food-producing animals.

Phenylbutazone, the most effective painkiller for horses, will cease to be available because of a supposed threat to human beings, according to the British Veterinary Association. Sue Dyson, president of its equine division, said: "Bute is the most common, reliable,

effective and safe drug that we have for treating pain in horses. Its removal could mean that older horses may be destroyed rather than treated with less effective and more expensive medication."

It is estimated that as many as 350,000 horses a year in Britain are treated with phenylbutazone for conditions such as laminitis (inflammation of the hoof) and arthritis. Many need permanent, daily treatment. Dr Dyson said: "Bute costs about 40p a day. The next best, but less effective, drug costs about £4 a day."

The problem arises because horse meat is eaten on the Continent. In humans, phenylbutazone has been found to cause stomach ulcers and blood disorders and there is concern that minute residues of the drug in horse meat could be a threat to public health.

The association said that microchipping horses, to identify those that had been treated with phenylbutazone, might be the only way in which vets would be able to go on using the drug. That would cost about £50 a horse.

NEWS IN BRIEF

Alps crash boys buried together

Two best friends who died together in the school coach crash in the French Alps were buried side by side yesterday. The families of Robert Boardman and Keith Ridding, both 14, were among 400 mourners at St Anne's Church, in Clifton, Greater Manchester. Another 200 listened from outside. Nicola Moore, 15, the third victim from St James's School, Bolton, will be buried today.

Attack arrests

Seven men were arrested in the Merseyside area in connection with the attempted murder of a fan at the Glastonbury pop festival. James O'Donnell, 26, from Bootle on Merseyside, was attacked by three men with baseball bats.

£18,000 for Chips

Memorabilia that belonged to Robert Donat, the actor renowned for *Goodbye Mr Chips*, fetched nearly £18,000 at auction. The 20 lots, sold by his children, included the spectacles he wore for the Oscar-winning 1939 role.

Moped death

A Hull council road safety officer was killed in an accident while taking her first lesson on a moped, an inquest was told. Lynn Wasilowski, 42, from Beverley, swerved into the path of an oncoming car. Verdict: accidental death.

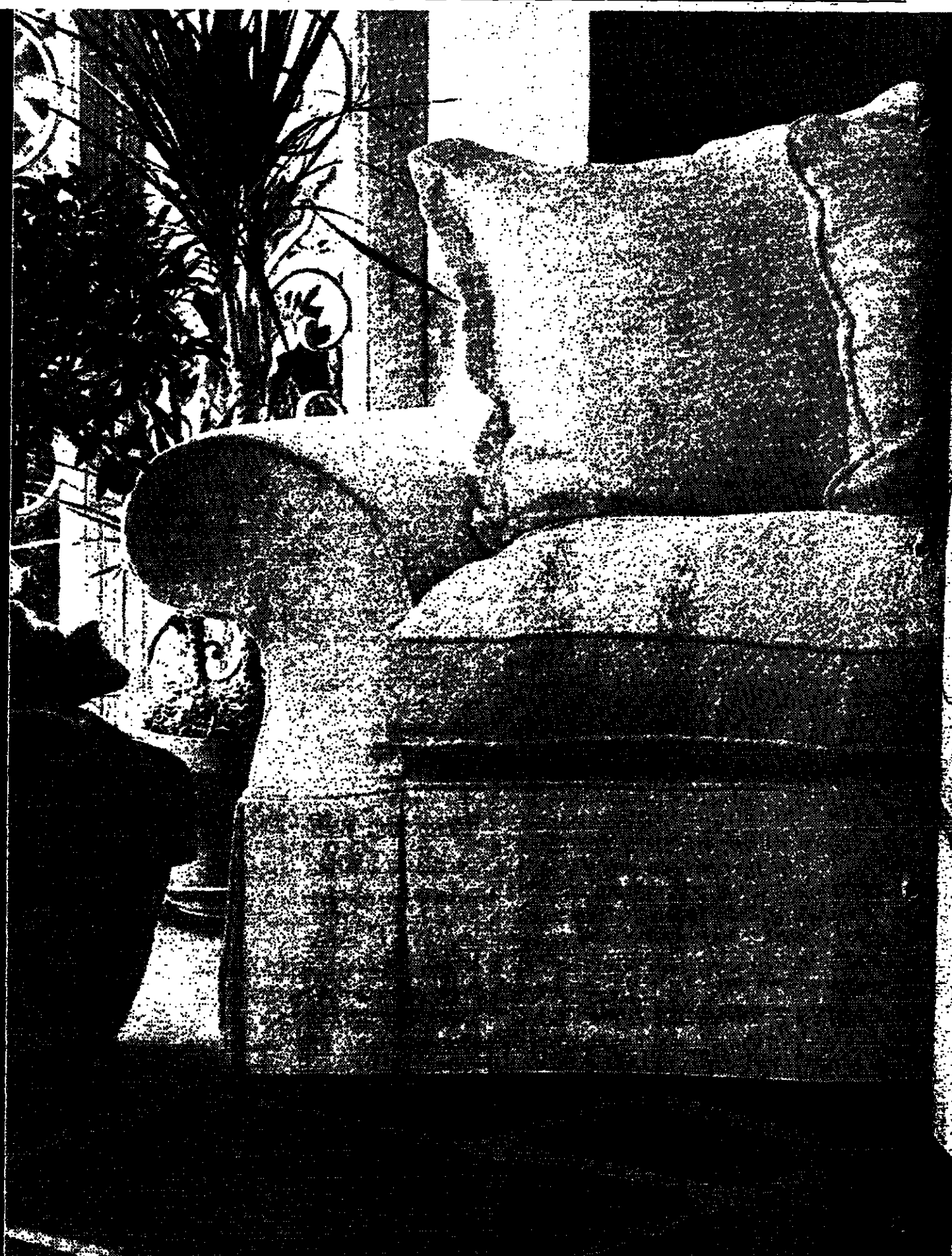
Cannon found

Salvagers have recovered 14 cannon from the wreck of the *Hannover*, a square-rigger which sank off the south Cornish coast in 1763 en route to Falmouth from Lisbon. The ship is thought to have been carrying precious stones.

Dog's breakfast

A two-year-old girl fed £160 to her family's boxer puppy after taking the money from the till of their pub in Stetchworth, Cambridgeshire to play with. Kate Knight, 33, Charlotte's mother, said the dog liked eating paper.

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Prison does not work for women, says inspector

By RICHARD FORD
HOME CORRESPONDENT

MOST women imprisoned in England and Wales represent no security risk and could be held in open conditions or given community penalties, the Chief Inspector of Prisons said yesterday.

Only about 30 per cent of the 2,650 women in jail would be a risk to the public if they escaped, a report by Sir David Ramsbotham said. For the remainder, many imprisoned for acquisitive crime such as theft, "another form of sentencing may well be more appropriate".

Sir David called for accommodation to be built on the outskirts of big population centres to house women. These areas should include London, where 27 per cent of women prisoners have a home, Manchester, Birmingham, Leeds, Essex, Liverpool, Bristol, South Wales and Newcastle upon Tyne.

The report also recommends that "half-way" accommodation be built where prisoners would live as they come towards the end of their sentences and are being prepared for release. Sir David



Tilt said the proposals were being considered

also repeated his call for the Prison Service to appoint a director of women's prisons with responsibility for managing the 15 women's jail in England and Wales.

"Central to this report is our strongly held view that the women's prison system ought to be managed as an entity, by one director, with responsibility and accountability for all that happens within the women's estate," he said.

"There is an urgent need for a thorough analysis of the needs of women prisoners and a national strategy for implementing and managing poli-

cies appropriate to satisfying them." He told a London press conference that consistent policies for women were unlikely to be delivered without one person in charge.

The report, *Women in Prison*, which makes 160 recommendations, concludes that the Prison Service is failing to meet the special needs of women inmates. The report found that 61 per cent of women in prison were the primary carers of children. When a woman was sent to prison the burden of looking after children fell on her own mother or family. Only 25 per cent said that the biological father or current partner was the carer.

As a result Sir David said more accommodation should be built to allow women to be held nearer to their homes in open conditions.

His report added: "A greater proportion of women prisoners should be held without physical security restrictions as they do not represent a danger to the public, nor is there a high probability of them absconding."

Paul Cavadon, the principal officer of the National Association for the Care and



Sir David Ramsbotham with inmates at Winchester Prison this week: he argues that prison is failing to meet the special needs of women

Resettlement of Offenders, said the appointment of a director of women's prisons would be the "single most important step" towards improving conditions for women in jail. "The report is a searing

indictment of this country's approach to women's imprisonment. For decades women's prisons have been treated as an afterthought tacked on to the needs of men," he said.

Richard Tilt, Director-Gen-

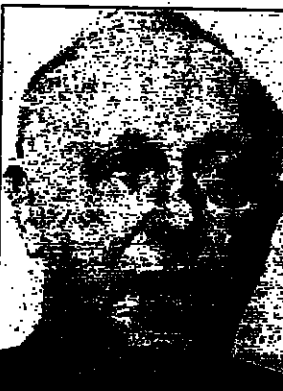
eral of the Prison Service, said steps were already under way to implement some of the recommendations including the provision of more specialised training for staff. He said the appointment of

a director of women's prisons would have to be considered in the context of the current organisational review of the Prison and Probation Services. The Prison Service believes it can best meet

women's needs by the existing area structure in which the service works closely with other local agencies, including social services, education authorities, hospitals and the Probation Service.

Computer games company that undermined Scargill strikes it rich

Paul Wilkinson on a success born from software inspired by the miners' strike



Scargill: striking idea

A COMPUTER games firm that based its success on a battle between Arthur Scargill's flying pickets and a character called Monty the Mole floated on the stock market yesterday.

As a result of the flotation Gremlin Interactive, which began 13 years ago at the height of the miners' strike with a £1,000 loan and a rented shop opposite the National Union of Mineworkers' headquarters in Sheffield, is now worth £30 million. It is a major player in a world market valued at £7 billion annually.

The shares priced at 159p will start trading next Thursday. The

float will give Gremlin's joint chief executives, Ian Stewart and his wife, Jenny, a former tax official, a joint shareholding valued at about £15 million.

An engineer by training, Mr Stewart, 43, foresaw the market in computers while an area manager for a hi-fi chain. In 1984 he borrowed £1,000 from his father and sold his house to finance a tiny shop, Just Micro, in his home city of Sheffield, long before the High Street electrical giants cottoned on to the computer boom. Soon after

he and a partner set up Gremlin Graphics to produce games.

At the time the staunchly Labour city was embroiled in the year-long miners' strike, with Mr Scargill masterminding the dispute across the road at what was known locally as Arthur's Castle. It gave Gremlin the idea for Monty Mole, who burrows away stealing coal and ballot papers to outwit the flying pickets and knock "King Arthur" out of his castle. The game sold by the million, as did a sequel.

After the strike, as Mr Scargill

and the old heavy industries declined, Gremlin followed the new technology boom to become a global multimillion-pound business. Mr Stewart said: "We were in the right place at the right time. We never thought something that started as a hobby for enthusiasts would become so big but quite soon we realised the business was going to fly."

In 1989 he borrowed and sold his house again to buy out his partners for £400,000. In the nine months to the end of last April the company,

renamed Gremlin Interactive, made £2.5 million profit on an £11 million turnover.

Several of their successful games were based on demo programmes sent in by young computer buffs who were invited to join Gremlin's well-paid development team.

The software, especially sporting games, they created are rarely out of the computer top ten, and Gremlin is the only games creator yet to produce a loss-making game.

Ten years ago it employed ten people. It now employs 269 people

on three sites. After yesterday's flotation Mr Stewart said: "The funds will allow us to consolidate our position as the market leader. It's a huge and ever-changing market and we hope to become the market leader in our sports range this year. The flotation will enable us to fund a growing portfolio. We are planning to double the number of titles we release annually. Our aim is to be the top company in Europe."

Their successful games include Zool, Premier Soccer and Loaded. Last year Gremlin produced the official game for the European soccer championship.

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Law lords quash conviction for killing policeman

By Stewart Tandler
CRIME CORRESPONDENT

A TEENAGER jailed for life for murdering a policeman, although he was 100 yards away from the stabbing and in handcuffs, was freed by the House of Lords yesterday. Philip English was 15 at the time.

The knife blow that killed Sergeant Bill Forth in Gateshead four years ago was delivered by Paul Weddle but Mr English was jailed as a partner in the "heinous" crime.

Yesterday, three years after Mr English began a sentence of 15 years, five law lords quashed the conviction in a test case on the law of "joint enterprise". The reasons for their decision will be given later. The Prison Service last night began arrangements for the release of Mr English, now 19, from Moorlands prison near Doncaster.

Sergeant Forth died after being called with a constable to a disturbance on the Cloverhill estate in Gateshead. After drinking and taking drugs Paul Weddle, then 25, went to the home of his former girlfriend with another man and began causing trouble. Mr English became embroiled in the disturbance after the police arrived.

Mr English was alleged to have struck Sergeant Forth



English: to be released after three years in jail

with a fence post and run away, pursued by the constable. He was brought down by the policeman and arrested 100 yards from where Weddle and Sergeant Forth were struggling. Weddle produced a knife and killed the sergeant with a blow to the heart.

During the trial at Gateshead Crown Court the prosecution argued that Mr English and Weddle were partners in crime. Even when Mr English ran away he was still a party to the agreement to attack and was liable for what Weddle did. He gave no verbal indication that he had ceased to be a partner in crime with Weddle.

The jury convicted Mr English on a 10-2 majority verdict after unanimously agreeing that Weddle was guilty. Mr Justice Owen said the men

had acted together to do a "terrible thing". Yesterday after the decision Mandy English, Mr English's stepmother and a Labour councillor, said she was "ecstatic" at the end of a four-year struggle to free him.

Asked about the feelings of the Forth family she said: "We have been very aware that a man is dead but the person who is responsible for that is in jail. It's not as if they haven't got the culprit."

But Sergeant Forth's widow, who was left with two children aged 11 and 8, said: "I just feel that Bill has been let down by the British justice system. I don't know why and I need to understand why. As far as I'm concerned he was guilty and he still will be."

The case has been compared to the Derek Bentley trial in 1953. Bentley was hanged for the murder of a policeman although another man did the killing. The killer was too young to be sentenced to death and Bentley was alleged to have encouraged the shooting.

Last night Maria Dingwall, Bentley's niece, said that she hoped the English case could help the fight to clear her uncle. "I am waiting for the Criminal Case Review Commission's decision on referring the case back to the Court of Appeal in September," she said. "But I feel it could come sooner following this decision."



Squadron Leader Sutton greeting his son, Christopher, on the tarmac yesterday

Russian planes blunder into BA jet's airspace

By Harvey Elliott, Air Correspondent

AN AIRCRAFT with 109 passengers on board had to take emergency action to avoid a mid-air collision with three Russian military jets that appeared to be lost over Reading.

The afternoon British Airways flight from Aberdeen to Gatwick was at 15,000ft and beginning its descent on Wednesday when air traffic controllers ordered the pilot to turn sharp left to avoid a giant Antonov tanker and two Sukhoi 30 fighters that were on their way from a base near Moscow to RAF Fairford in Gloucestershire.

Moments earlier the terminal controller at West Drayton was called by one of the Sukhoi pilots who reported that they were experiencing difficulties in holding their altitude and in navigating accurately towards the RAF base, where they will be part of the Royal International Air Tattoo this weekend.

The three Russians eventually roared past 400ft above the Boeing 737. Both the pilot and the air traffic controller immediately reported the incident, which is being investigated by the air accident investigation branch of the Department of Transport.

First indications are that the two fighters — which had been refuelled from the tanker on their way from Russia — had not realised they were flying into a busy airway. Yesterday an RAF pilot had

no trouble flying into RAF Fairford, albeit in an American Stealth bomber. He also flew into the arms of his family in a surprise reunion.

Squadron Leader Mark Sutton had left his wife, Sue, and sons, Christopher, 3, and Tom, 2, in New Mexico, where he last saw them three weeks ago. Also on the tarmac were his parents, Robin and Dorothy Sutton.

Squadron Leader Sutton, 33, is on a three-year secondment to the US Air Force — the 9th Fighter Squadron — and flew the F-117A Night-hawk to Fairford for the tattoo. "It's really nice to be back," he said. "It's my first time back in Britain for about 18 months."

He said that during his brief return to Britain — his home is at Chippenham in Wiltshire — he would be seeing old friends and having a big reunion party. "It's great to be able to bring a Stealth plane here and show it off. But I think I might be a bit overshadowed when the new B2 Stealth plane comes in at the weekend. Still, I like this one better." It will be the B2's first appearance in Britain.

During its one-hour stay, the B2 will be inspected by the Duke of Kent, a keen aviation enthusiast. The Stealth planes will be among hundreds on display either in the air or on the ground at the two-day event, which is the world's biggest airshow.

Internet blows cover of anti-Semitic groups

By Ruth Gledhill, Religion Correspondent

THE eagerness of extremists to embrace the Internet has given the authorities valuable new intelligence about their activities, according to a report published today.

The number of anti-Semitic incidents fell in nearly every country in 1996, with Britain experiencing its third fall in three years. This decline has driven far-right groups to use the Internet to seek support around the world, exposing themselves to scrutiny. *Anti-Semitism World Report 1997* says.

"The Internet has been of very specific use in official action against extremists," says the report, published by the Institute for Jewish Policy Research. "Although extremists attempt to disguise some of their traffic, they do have a marked tendency to expose themselves — after all, they want to be a mass movement and if they are using the

Internet for that purpose they have to make themselves visible."

A hacker succeeded in wiping out a web site in Australia that was "dedicated to... exposing the Holocaust, denial. Other 'hackers' have deleted racist material after scaling 'fire walls' erected to protect sites. "If battles with extremists are fought out on the Net rather than in the streets, that constitutes an interesting development," the report says.

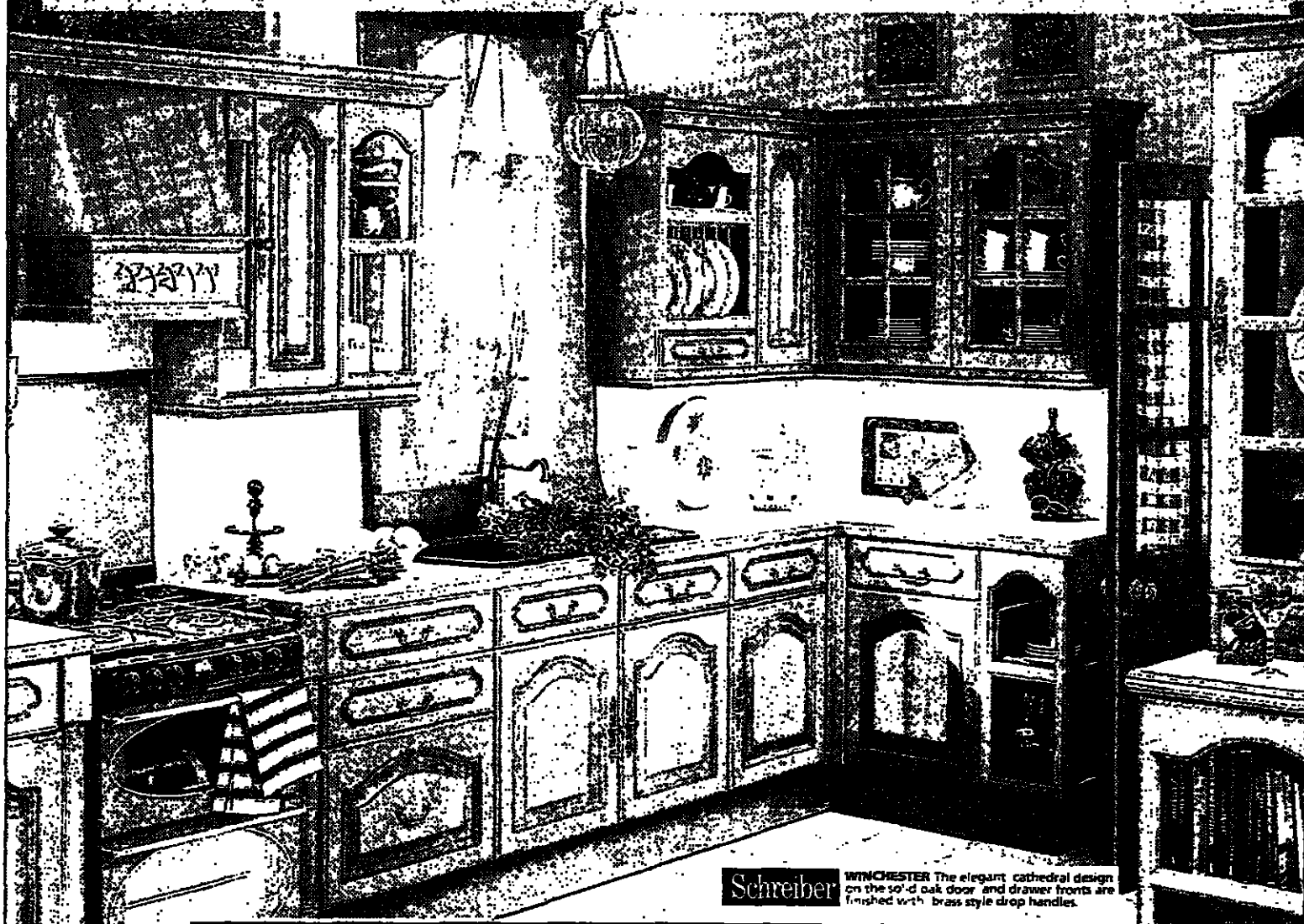
Mike Whine, defence expert of the Board of Deputies of British Jews, said the Internet had allowed the board to learn that British Nazi individuals and groups were seeking contacts across Eastern Europe and that a small number had made contact with violent American groups. "There have been specific examples of British Nazis seeking manuals on terrorism from American groups," Mr

Whine said. "The police are, on the one hand, very worried about terrorists and neo-Nazis communicating on the Net but, on the other hand, are pleased at being able to access information they were previously unable to obtain."

The report says that manifestations of anti-Semitism are declining around the world. "Anti-Semitism does not resonate with significant sections of the public in the way it once did and it cannot be used to mobilise anything other than small, extremist fringe groups."

Anthony Lerman, director of the Institute for Jewish Policy Research and editor of the report, added: "The generations who have grown up in a postwar world do not encounter Jews as being very different from themselves, if they encounter them at all. There is to some degree a benign ignorance."

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مكتبة المنزل

Britain freezes £16m art sale to America

The Getty Museum is angry over an export delay on a Poussin from Sudeley Castle, reports Dاليا Alberge



Poussin's *Temps Calme* was sold by private treaty

THE director of the Getty Museum in California expressed dismay yesterday over a British Government decision to delay by up to a year the export of a Poussin painting that it bought for £16 million.

The delay is to let a British institution match the price. If nobody comes forward in three months, the Getty can take the landscape. But the National Galleries of Scotland are believed to be keen to acquire it.

John Walsh, the Getty director, said yesterday: "We are amazed and dismayed by the length of the deferral period. We purchased the painting in March and made an

application for an export licence on April 1. It has taken 15 weeks for us to be told that consideration of our application is to be deferred, for certain for three months, and possibly for a further nine. In other words, almost 16 months could elapse before we know the outcome of our application.

"I believe this is an imposition that is unprecedented and certainly disproportionate to the standing of the painting, which is far from being the finest by Poussin in British public or private collections."

In 1994 the museum was prevented from buying Canova's *The Three*

Graces for £7.6 million and the sculpture was secured by the National Galleries of Scotland and the Victoria and Albert Museum. Many in the art world expressed sympathy for the Getty over the way that export rules were seemingly manipulated.

Temps Calme, a 1650s imaginary scene by the 17th-century French master featuring a shepherd watching his flock, was sold by private treaty by the trustees of Sudeley Castle, Gloucestershire. The Getty said that, with the exception of a couple of loans, the painting had hung hidden from public view in Sudeley's private apartments. At the

Getty it could be seen by more than a million visitors this year. One dealer said: "I don't particularly feel it was something that shouldn't be allowed to leave. It has been here and relatively unseen."

The Department of Culture, Media and Sport would not confirm the export delay but said that a statement was likely in a few days.

Britain has 29 paintings by Poussin in public art galleries and 19 in private collections. Any attempt to buy this example would require help from the National Lottery and partnership funding. The trustees of Sudeley Castle, which dates back to

the 15th century, have argued that they were forced to sell "the family silver" to save the house for future generations. They have sold works from a collection that includes Rubens, Reynolds and Ruysdael. In 1990, Constable's *The Lock* was sold for £10.78 million to the Thyssen Foundation in Lugano.

The castle is home to Henry Dent Brocklehurst, a friend of the actress Elizabeth Hurley and the godson of Camilla Parker Bowles. He has been described as Britain's richest and most eligible bachelor: reports suggested that he inherited £50 million on his 30th birthday.

Hong Kong tourist lost for words over Gaelic

By AUDREY MAGEE
IRELAND CORRESPONDENT

A HONG KONG policeman who learnt Gaelic for a holiday to Ireland was disappointed to discover that almost nobody he met spoke the language.

Po Pui-Tak, 29, spent six months toiling over language tapes and books and practised on his Irish friends in Hong Kong. But after his arrival, he said, "I could not find anyone who speaks their own language daily. Whenever I spoke my little Irish, everyone told me no one speaks Irish any more."

Mr Po became enthralled with Ireland after meeting a senior inspector of Irish extraction. The officer was born in Hong Kong but learnt Gaelic as a child from his parents and speaks only Gaelic to his own children.

Only 4 per cent of the 3.6 million people in the Republic are native Irish speakers, most of whom live along the west coast. About 11 per cent of the population is believed to speak the language regularly. Gaelic is obligatory throughout school.

Mr Po wrote reproachfully to yesterday's *Irish Times*: "We in Hong Kong can speak English, but it is a foreigner's language, even after 150 years. But I hope I can promise you, in 150 years we will still speak Cantonese."

Kenwood House brings Botticelli out of hiding

By DALYA ALBERGE, ARTS CORRESPONDENT

AN EXQUISITE Madonna and Child by Botticelli, the 15th-century Italian master best known for the *Birth of Venus* in Florence, is among 15 stunning Old Master paintings that are being lent to Kenwood House in London.

Seven of them, including the Botticelli, have not been seen in public for four decades, having been hidden away in a private collection. These are jewel-like paintings of the early Renaissance. They include *Portrait of a Man in a Black Cap* by Hans Memling, master of devotional imagery, *Madonna and Child* by Dieric Bouts, revered for his treatment of light and colour, and *Saint Anthony Abbot presenting a Donor to the Madonna and Child* by Paris Bordone,

whose work was inspired by Titian and Giorgione. They were last exhibited in 1957 in Manchester by Sir Thomas Barlow, a connoisseur and collector, and have been in the family's possession ever since.

Ian Dejardin, senior curator of collections for English Heritage at Kenwood, said: "Last year a lot of the loans set up in the 1970s and 1980s were recalled, simply as the owners wanted them back. Just as things were leaving, I was contacted by three separate owners offering paintings — the most remarkable of which was the Botticelli."

He explained that a member of the Barlow family had gone to Kenwood in Hampstead on an assignment as a freelance photographer. He was "bowed over by the place" and asked whether Kenwood was interested in a loan of some of his paintings. Mr Dejardin expressed guarded enthusiasm in case he was offering "a portrait of his old granny".

"But the photographer said: 'Oh no, it's a Botticelli and a Memling...' I was totally flabbergasted. I thought it might be 'school of or attributed to' and asked for more details. What came through the post were seven ravishing photographs." The pictures go on view today.



The Memling portrait on loan to Kenwood



The Botticelli that will be on show at Kenwood House, north London, from today

Common cold offers new cure

MEDICAL BRIEFING

THE news from America that there is a novel treatment for cancer of the prostate which utilises a virus that destroys cancer cells while leaving others unaffected will reassure the friend I met at my club.

My friend, a youthful 52, gave me a smile and offered me a drink. "We are celebrating tonight. This is the last day of my radiotherapy," he said. Unusually I did not probe any further but my companion told me his story.

He had recently noticed some hesitancy when passing urine, he was getting up during the night and could no longer sit through a boardroom meeting or film without a dash to the cloakroom. Blood tests had shown that he had raised prostate-specific antigen (PSA). A decision was taken for a course of radiotherapy.

Nobody had warned him that the radiotherapy directed at his prostate would not only shrink the malignant cells but burn and inflame the adjacent tissue, including his rectum and lower colon.

The last dose was now over. He hoped the cancer

had been eradicated and that from now on his lower guts would become less painful. There is no perfect treatment for cancer of the prostate. Surgery up a very early tumour may remove the disease but it too frequently results in incontinence, retrograde emission and impotence. Chemotherapy causes feminisation and impotence.

This week American research workers announced that they had found that a common cold virus can attack and destroy the cells confined to the prostate, and produce PSA. When the virus was injected into a mouse with the human-type prostate cancer the malignant cells started to shrivel within five weeks, and in many cases the cancer disappeared entirely. Mice and men behave very differently but successful trials on humans could make a commercial preparation available in under five years — possibly just in time to help my friend if the radiotherapy had not been entirely effective.

DR THOMAS STUTTFORD

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ROYAL MINT



Straw: confirmation

Cabinet opts for regional list PR

By JAMES LANDALE

THE British public will vote for party lists rather than individual candidates for the first time on a national basis in the European elections in 1999, the Government confirmed yesterday.

Jack Straw, the Home Secretary, said that the Cabinet had decided to scrap the first-past-the-post system for the election and that MEPs would be chosen under a type of proportional representation known as the regional list system.

At present, each European constituency sends one MEP to Strasbourg. Under the new procedure, the country will be divided into larger constituencies, each to be represented by a number of MEPs.

The number of MEPs elected for each party will be in rough proportion to their share of the vote in each region. The system is intended to allow the parties fairer representation. Independent candidates will still be able to stand.

The change was agreed at yesterday's Cabinet meeting. Further details of how the system will work will be announced later. There are several types of regional list system and Mr Straw said that the Government had not yet decided which one to use.

The system will apply to England, Scotland and Wales. Northern Ireland will continue to use the single transferable vote system adopted in 1979.

Tories back plan for London mayor

Alexandra Frean on a policy shift that offers a chance of power and prestige to flamboyant former MPs

THE Tories abandoned their long-held opposition to the idea of having an elected mayor for London yesterday, clearing the way for some of the party's most colourful characters to stand.

Among the senior Tories who have shown an interest in what will be a powerful and prestigious position are Lord Archer, the former Transport Minister Steven Norris and the former Heritage Secretary David Mellor.

A Tory victory in the election, expected to be held in May 2000, would bolster the party's opposition to the Government just two years before the next general election. The policy change also puts the Tories more in line with what Londoners want: the creation of a metropolitan authority for London has consistently been supported by up to 80 per cent of the public in opinion polls over the past decade.

But the Tories remain implacably opposed to Labour's plan for a 32-strong elected strategic authority. Sir Norman Fowler, the Shadow Environment Secretary, said yesterday: "There is no way that we are going to support a Greater London Council Mark II."

Sir Norman acknowledged that the announcement repre-

sented a change in Tory policy. The party has opposed the creation of an elected mayor for London ever since Margaret Thatcher disbanded the Greater London Council in 1986.

"It is fair for people to say that we have come to this late," he said. "We have listened to what people are saying."

He said that an elected mayor would give the capital a voice and lead efforts to secure investment and economic regeneration. "At present London is at an undoubted disadvantage. There is no publicly elected figure who can speak for the capital as a whole. It puts London at a disadvantage with other European and English cities."

Labour's plans for an authority, however, were bound to lead to more bureaucracy with huge potential for conflict between the mayor, the authority, the London boroughs and the proposed Regional Development Agency for London, Sir Norman said. "Those in favour of an elected authority for London argue that it is vital to provide a counterbalance to the powers of the mayor."

Under the Tory proposals, the mayor would work with a board of London borough council leaders, taking a lead in cross-capital issues such as



Potential candidates: Lord Archer, David Mellor and Steven Norris have all expressed an interest in the role

transport, traffic and environmental protection.

The Government is expected to publish a Green Paper on its proposals this month, followed soon by a White Paper. It hopes to hold a referendum next May to coincide with local government elections in London. Mayoral elections are pencilled in for spring 2000.

Sir Norman said he hoped that the referendum would ask separate questions on whether people wanted a mayor or an elected authority. Lord Archer, a former depu-

ty party chairman, said: "I welcome the party's new attitude to a mayor for London. I have been pressing for this for some years, because it has become obvious that it's what the London people want."

If the Government's plans are supported in next year's referendum, the mayoral election is likely to be one of the most exciting political battles for years. The main political parties will have to decide whether to hold primary elections to decide who will be their candidate. It is likely that

the mayor will be paid at least on a par with local authority chief executives. This will mean a salary of more than £100,000, much higher than that of a backbench MP.

Judging by the experience of countries with elected city mayors, such as the United States, the position is likely to be a high-profile one. According to Tony Travers, a local government expert at the London School of Economics, the mayors of New York and Seattle are so prominent that they each get more national

press coverage in Britain than all of the British council leaders put together.

The Japanese developers who own the former GLC building on the Thames are willing to make room for the mayor and the authority, but their offer seems unlikely to be accepted. Neither Labour nor the Tories will want to revive the spectre of the GLC under its radical left-wing leader, Ken Livingstone. Admiralty Arch, on the corner of Trafalgar Square, is widely thought to be a more fitting home.

Astute move shows voters have been heard

RIDDELL ON POLITICS

the Tory plan, and what his or her powers would be on transport and traffic. And the proposed board of borough council leaders looks pretty hollow.

However, the Government has a muddled approach, in part because different proposals have been piled on top of each other. Tony Blair supplemented Labour's long-standing commitment to an elected strategic authority with his plan for an elected mayor. This has been backed by some prominent London MPs like Margaret Hodge though opposed by most Labour borough leaders. In addition, Labour has proposed setting up regional development agencies. Originally, these were just to be

outside London, but one is now proposed for the capital, which would be in operation a year ahead of the mayor and strategic body. This confusion is partly because of Labour's separate policymaking in Opposition on regional government and regional economic development.

Since the general election, Mr Blair and his advisers have taken the lead in drafting a consultative paper to be published later this month. The Prime Minister has rightly wanted a strong mayor with executive powers and a weak elected body. The latter was yesterday described by Nick Raynsford, Minister for London, as an assembly rather than a strategic authority. Meanwhile, the predominantly Labour-run boroughs are resisting any erosion of their role.

The exact powers of the proposed mayor are still uncertain, but he or

she would undoubtedly be a very prominent figure with all the legitimacy of being the elected representative of several million people. By taking their new stance, the Tories are also in a better position to expose inconsistencies in Labour's proposals — and to fight both the referendum on the future government of London and the borough elections on the same day next May. The new post is a political prize, whose creation the Tories would be daft to oppose if they want to win the election for mayor in May 2000. Of course, the Tories already have a candidate with experience of running a cosmopolitan city of more than six million people — Chris Patten, whose approval ratings as Governor of Hong Kong rivalled Tony Blair's now.

PETER RIDDELL

Hamilton gives MPs written denial

By POLLY NEWTON
POLITICAL REPORTER

THE former Tory MP Neil Hamilton delivered a detailed written denial yesterday of cash-for-questions accusations made against him by Sir Gordon Downey, the Parliamentary Commissioner for Standards.

Mr Hamilton claimed that he was the victim of a miscarriage of justice and urged the Select Committee on Standards and Privileges to reject the findings of Sir Gordon's 900-page report, which concluded that there was "compelling" evidence that he had taken money from Mohamed Al Fayed, the owner of Harrods, in return for lobbying services.

In a 37-page response that he brought to Westminster yesterday for consideration by the committee, Mr Hamilton, a former Trade Minister, says: "I believe that the procedures employed in the inquiry fell well short of those which an accused person in this country is entitled to expect of a fair trial on charges of such gravity."

"The evidence upon which Sir Gordon's conclusion is based is almost entirely inadmissible, circumstantial or not independently corroborated."

He says that, in view of the "catastrophic" personal and professional consequences of a guilty verdict, such charges ought not to be upheld unless proof reached the criminal standard of "beyond reasonable doubt".

Mr Hamilton apologises to the House for "errors of judgment" in failing to register two commission payments and a consultancy for Strategy Network International. He also apologises for failing to declare hospitality from Mr Al Fayed at the Paris Ritz, which he says was not a reward for lobbying.

The committee has received three other submissions from former MPs criticised by Sir Gordon and will consider them at a meeting on Tuesday.

IN PARLIAMENT

TODAY in the Commons: debate on education; White Paper; backbench debate on Effect of the area cost adjustment; In the Lords: Plant Varieties Bill, second reading; Fossil Fuel Levy Bill, second reading; plus various questions and a debate on human rights in Turkey.

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Blunder on Mir puts crew at risk

Space station plunged into dark on blighted mission

By Robin Lodge in Moscow and Nick Nuttall

THE blighted Mir Russian space station suffered another mishap yesterday when a crew member accidentally disconnected a computer cable, causing a power failure and making a further delay to repairs almost inevitable.

Mir was plunged into darkness after the crew was ordered to close down all but essential systems.

Last night Russian space officials said they had corrected a fault in the inflight computer. This was crucial if a planned repair mission is to go ahead.

Russian and NASA officials are due to decide at the weekend whether to proceed with the repair mission next week — with Michael Foale, the British-born US astronaut aboard Mir taking over the role of the commander — or to abandon repairs until the arrival of a replacement crew next month.

A mission to reenter the Spektr module, sealed off from the rest of the station after it was jettisoned by a collision with an unmanned cargo craft on June 25, was postponed earlier this week after Commander Vassili Tsibilyev developed cardiovascular problems.

A leading British space sci-

entist said yesterday that the situation on the space station had become critical.

Professor André Balogh of Imperial College London, former chairman of the European Space Agency's committee planning future space stations, said: "What is happening now is the culmination of two or three weeks of problems. The impression I get is that it is very serious."

"If I was the mission controller I would give the order to evacuate"

He feared that the damage to Mir meant the crew might be unable to evacuate the crippled ship if they delayed any longer.

"It might be that hatches won't open because there's no electricity to open them, and the life support systems and oxygen supply fail. The other problem is how long you can maintain communication with the ground," Professor Balogh

said. "If I was the mission controller I would give the order to evacuate."

Alan Johnstone, of University College London's Mullard Space Science Laboratory, said yesterday: "There is certainly a danger. The margins of safety are going down all the time."

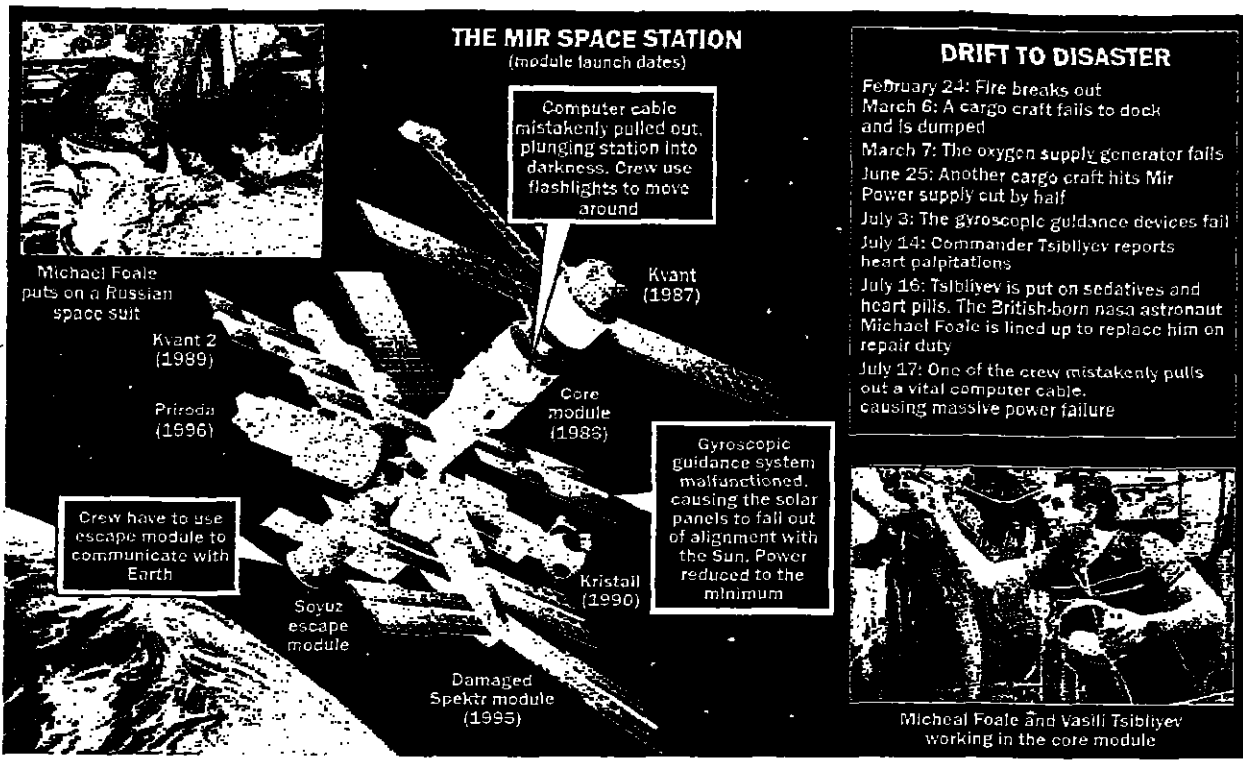
After yesterday's accident, the crewman immediately replaced the cable, which was connected to the station's "logic block" computer system.

But the damage had been done. The fault caused a breakdown in the station's alignment system, which ensures that its solar panels are kept at the right angle to the Sun. Officials said that power fell to the bare minimum required to run the ship.

Vladimir Solovoy, mission control chief at the space centre just north of Moscow, described the problem as serious, but emphasised that the crew was in no danger and that there were no plans for an evacuation.

"Today we had a very bad situation, serious trouble," he said. "It was human error, but anyone can make a mistake and we should not judge the crew too harshly."

Under the original plan, Dr Foale was to have waited on the capsule while his more experienced Russian col-



leagues carried out the repairs. If NASA gives the go-ahead, he will now begin several days of training to get accustomed to working in the space suit before the repairs start.

The past few months have seen a string of accidents and mishaps aboard Mir, which has been manned permanently since its launch 11 years ago and is showing severe signs of wear and deterioration.

In February a small fire broke out and it took the crew about 15 minutes to put it out.

hatch door to the Spektr, allowing cables to pass through it to the research module's solar panels.

The two crew members carrying out the repairs will have to don bulky space suits to enter the depressurised module, leaving the third member on board the escape capsule to enable a swift evacuation if the mission goes wrong.

Under the original plan, Dr Foale was to have waited on the capsule while his more experienced Russian col-

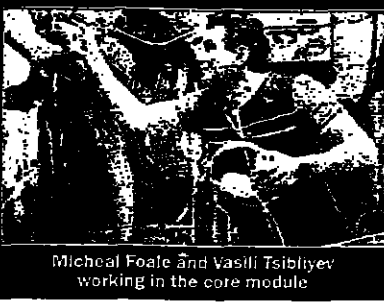
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In February a small fire broke out and it took the crew about 15 minutes to put it out.

DRIFT TO DISASTER

February 24: Fire breaks out March 6: A cargo craft fails to dock and is dumped March 7: The oxygen supply generator fails June 25: Another cargo craft hits Mir Power supply cut by half July 3: The gyroscopic guidance devices fail July 14: Commander Tsibilyev reports heart palpitations July 16: Tsibilyev is put on sedatives and heart pills. The British-born NASA astronaut Michael Foale is lined up to replace him on repair duty July 17: One of the crew mistakenly pulls out a vital computer cable, causing massive power failure



Michael Foale and Vassili Tsibilyev working in the core module

Rocket builder, page 18

Columbia returns in triumph

FROM MARCIA DUNN IN CAPE CANAVERAL

THE space shuttle Columbia and its crew of seven returned to Earth in quiet triumph yesterday with a bounty of laboratory research on fire, metals and plants.

Nasa's oldest shuttle soared through a clear, flushed sky and touched down just after sunrise at Kennedy Space Centre after a 16-day journey.

"Congratulations on a perfect mission," Mission Control said after Columbia rolled to a stop. "It's great to be up there and it's good to be back," replied James Haisell, the craft's commander.

He and his crew accomplished all their work and more during the second attempt at the science mission. The exercise was cut short in April after four days because of a faulty power generator. The follow-up mission, which blasted off on July 1, cost Nasa between \$60 million (£35 million) and \$70 million.

The crew produced soot from flames and grew spinach, clover and more than 100 protein crystals. The astronauts stored 206 small fires in sealed chambers, 62 more than planned, and ignited the weakest flame ever — which flickered at 1/50th of the power of a birthday candle. (AP)

Guides call off strike at Eiffel Tower

FROM BEN MACINTYRE IN PARIS

THE Eiffel Tower reopened last night after an agreement was hammered out with workers who mounted a two-day strike over the sacking of an employee accused of man-handling tourists.

The guide, who was fired for allegedly shoving and berating an American holidaymaker, will cease working at the tower but the management agreed "to make efforts to find him new employment".

He will also be paid two months salary and an additional lump sum in severance pay.

Christine Harvey, a best-selling American author, filed an official complaint last month claiming that she had been "physically abused" when she asked to stay on the first level after suffering from vertigo on her way to the next.

Workers at the Eiffel Tower said they believed their 60-year-old colleague, who earns Fr18,000 (£1,800) a month, was being removed by management to make way for a younger and cheaper replacement.

The 1,050ft high tower is the world's most popular paying tourist attraction, drawing almost six million visitors every year.

In July up to 26,000 tourists visit the tower daily, and the two-day strike has cost the company an estimated Fr2 million as well as incalculable public relations damage.

The Eiffel Tower's 180 permanent employees have a reputation for militancy, and this week's dispute was not the first pitting them against the private firm which operates the building under a concession granted by the City of Paris.

Ticket collectors at the tower earn nearly Fr3,000 a year, while overseers earn Fr400,000.

Last year workers mounted a five-day strike when their parking places beneath the tower were moved a few hundred yards away as a security measure. They also demanded a 35-hour week and air-conditioned lifts.

During that confrontation a spokesman admitted: "We cannot even explain to the tourists what has happened as they would find our explanation incredible."

The workings of the tower have been successfully stymied by staff on various occasions during the building's 108-year history, sometimes from the best of motives.

During the Second World War, the tower was closed to the public and taken over by the Nazis as a radio post, but not before employees had sabotaged all the lifts, forcing the Germans to trudge up and down the iron stairs.

Litany of failure tests outer limits of endurance

FROM IAN BRODIE IN WASHINGTON

STRESS and fatigue are increasingly seen as hazards on prolonged flights in space where yesterday a weary member of Mir's crew mistakenly pulled out a vital computer plug.

The problems of mental and physical exhaustion have been compounded by the daunting mechanical snags on Mir, which was built by the Russians to last five years in orbit. It has been there for 11.

Following a White House briefing, President Clinton tried to steady the growing concerns in Washington about Mir's series of fiascos. He declared that the crew had the latest problem under control and there seemed to be "no immediate crisis".

When asked whether Nasa should end its participation in the Mir project, Mr Clinton said: "It's too soon for me to draw a conclusion." On Capitol Hill, though, a Bill has already passed in the House calling on Nasa to ensure that Mir meets or exceeds American safety standards before sending any more astronauts. The Bill is pending in the Senate.

In the past four years, the Americans have paid the Russian space agency \$472 million (£282 million) to have astronauts at Mir. The hefty fare has hardly been matched



The overworked astronaut in the film 2001: A Space Odyssey. Mir's crew lives with 24-hour claustrophobia

by first-class service. The Russians have proved themselves competent engineers but clearly they are now struggling to hold Mir together long past its sell-by date.

The most important long-term lessons to be learned from Mir's marathon mission may be about the impact of space endurance on the body's frame and psyche. The irregular heartbeat suffered this week by Vassili Tsibilyev is reckoned to be stress-related — and who can blame him?

He left Earth on February 10 and since then has endured Mir's string of mishaps, starting with the fire on February 24 that shot out flames two feet long and filled the capsule with choking smoke. He has been blamed unofficially for the error last month that caused a cargo ship to hit Mir during practice docking, puncturing the Spektr module and cutting Mir's electrical power by half.

Commander Tsibilyev, who may by now have lost confidence in his abilities, is on

sedatives and heart pills that will prevent him from taking part in repairs to Spektr. Yesterday Nasa gave the go-ahead for its British-born astronaut, Michael Foale, to begin preparations and training for the work. The Americans will delay giving him final clearance until they see how he manages with the unfamiliar Russian space suit.

Getting testy and anxious in outer space has happened before, though no one has gone over the edge in the

manner of Hal the computer in the science fiction film 2001: A Space Odyssey. An astronaut fought to disable Hal — as opposed to mistakenly unplugging it — when it started killing astronauts whose bodies had been suspended in time.

In real life, the 24-hour claustrophobia of space, where crew members have little privacy and sleep in spaces not much bigger than a drawer, will need to be factored into scientists' thinking as extended flights become

US wants developing nations to have Security Council seats

FROM TUNKU VARADARAJAN IN NEW YORK

THE Clinton Administration is to recommend today that three permanent seats on the United Nations Security Council should be given to developing countries.

This represents a significant change from the American approach so far, which has been to extend the prospect of permanent membership to Japan and Germany alone, while rejecting such a possibility for non-industrialised aspirants from Asia, Latin America and Africa. Third World countries as a result, have obstructed expansion.

According to UN diplomats, the American move is intended to win Third World backing for the reform proposals announced on Wednesday by

Kofi Annan, the Secretary-General. The proposals aim for a leaner, more efficient structure, although critics have said that they fall well short of the radical shake-up which the UN requires.

Although the US has not said which three countries would be favoured, nor even whether they would enjoy the power of veto, it is understood that one seat each would be allocated to Asia, Latin America and Africa. This would accord with the formula proposed in March by Kofi Annan of Malaysia, the president of the General Assembly.

Under the "Ismail initiative", two industrialised countries — widely taken to refer to Japan and Germany — and

three developing countries would secure permanent membership. The Security Council would, in addition, get four more non-permanent members, boosting its total strength to 24. The present membership is 15, five of them permanent.

The US initiative is not likely to meet with universal approval. The battle to secure the three new seats will be fierce.

Although India, Brazil and South Africa are regarded as the favourites, Argentina, Mexico, Indonesia, Pakistan, Egypt and Nigeria are expected to lobby hard for their own candidatures.

Leading article, page 21

German police are accused of abusing foreign prisoners

FROM DEBORAH COLLUETT IN FRANKFURT

GERMAN police have been accused by the Council of Europe's human rights committee of using excessive violence when making arrests and detaining foreigners.

The Convention for the Prevention of Torture, set up in 1987 to examine the treatment of people deprived of their liberty, reported that asylum seekers in particular had complained in Germany of being beaten and kicked.

In its report, presented in Strasbourg yesterday, the convention also expressed concern over the conditions in which detainees were kept in German prisons, police stations and detention centres.

The critical findings came only weeks after Amnesty

International accused German police of systematically ill-treating foreigners, and said that much abuse was racially motivated. The human rights organisation, which first found evidence of maltreatment in 1995, concluded that incidents were not isolated, and formed a pattern.

Amnesty also accused police officers of using excessive or unwarranted force in restraining or arresting people, and said detainees were subjected to cruel or inhumane treatment.

Although the convention's report found no evidence of this, it criticised a number of custodial authorities for depriving prisoners of their

rights to inform a family member or lawyer of their detention and to see a doctor. Since its last visit in 1991, the committee said that German authorities had failed to act on its recommendations to improve access to third parties for detainees.

A team of five lawyers, doctors and a judge, visited 15 detention centres, prisons and police stations in April, 1996. They were told by some inmates that, after being restrained on the floor, they were kicked and hit by police officers or guards with sticks. In two cases in Berlin, this was supported by medical evidence.

The Government has tried to play down the allegations.

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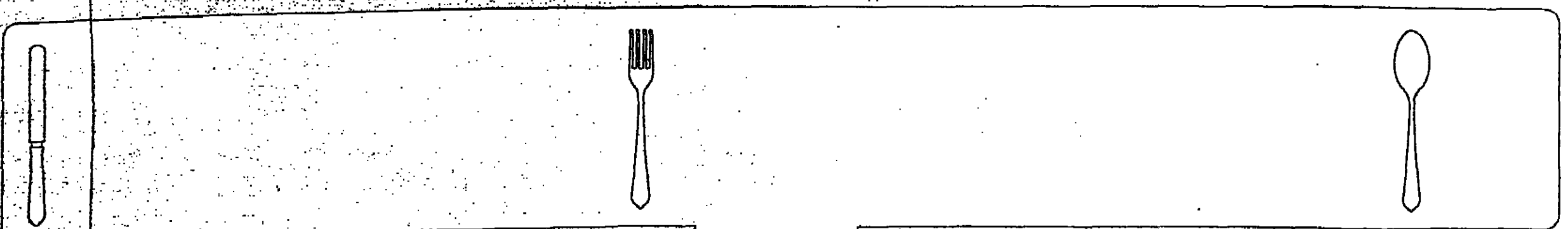
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BY MICHAEL BINYON, DIPLOMATIC EDITOR

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India has first Untouchable president

Triumph is likely to intensify outcasts' fight for their rights

FROM CHRISTOPHER THOMAS IN DELHI

INDIA, its lowest castes increasingly in ferment after centuries of repression, has its first Untouchable president. It marks one of the most significant triumphs for the nation's millions of outcasts since Bhimrao Ambedkar rose to become principal author of the Indian Constitution in 1950.

Kocheril Raman Narayanan, 76, replaces Shankar Dayal Sharma, a Brahmin, the highest caste. The accession of a member of the lowest orders to arguably the most important post in the country will further embolden Untouchables — now commonly called Dalits, or the oppressed — to assert themselves and claim long denied rights granted both by law and the Constitution.

This is likely to hasten a caste revolution that is under way across much of the northern Hindi heartland, with low castes claiming political power and exacting revenge on their caste superiors. The changes are especially radical in Uttar Pradesh, the most populous state with 120 million people. It has launched a virtual caste war under the leadership of Mayawati, the Chief Minister, who is an Untouchable.

She has jailed 10,000 people for allegedly violating a law that bans discrimination against Dalits and members of tribes. High-caste government officials have been demoted, to be replaced by ill-qualified Dalits enjoying their first taste of high-level bureaucratic power and evidently using it with abandon to repay insults.

There are tensions with the state's agrarian castes, principally Yadav and Jat, who despise the Untouchables, forcing them to live separately and often to draw water from separate village wells. Dalits are sometimes told to remove their sandals when walking through higher-caste sections of villages, and grooms are frequently banned from observing the Hindu tradition of riding to their weddings on horseback.

Mr Narayanan, chosen by an electoral college, polled an unprecedented 956,290 votes, compared with his rival, T.N. Seshan, an outspoken former Chief Election Commissioner, who received just 50,000 votes. Mr Seshan's sole party political backer was the extremist right-wing Hindu organisation, Shiv Sena.

Mr Seshan's loathing of politicians struck a chord with the nation but ensured his unpopularity across most of the political spectrum. He said in the opening words of his book, *The Degeneration of India*: "The decline of politics and politicians in India is visible, visceral and violent."

The presidency has become far more than a symbolic post since the end of the Gandhi-Nehru dynasty left India in almost ceaseless political turmoil. Presidents now find themselves in the centre of events, with the power to make or unmake prime ministers.

Mr Narayanan will move into the most magnificent building left by the Raj — Rashtrapathi Bhavan, the presidential palace formally occupied by the viceroy. His election comes after a week of severe caste tensions. Bombay was all but shut down last weekend when Dalits went on the rampage after discovering that a statue of Ambedkar had been "desecrated" with a garland of old sandals. Police killed several Dalits by firing into crowds of rioters, further inflaming the mood.

Mr Narayanan, a former career diplomat and member of the Indian Foreign Service, has been associated with the Congress Party, although the presidency is non-partisan. His wife, Usha, born and raised in Burma, is a social activist.

□ **Chandigarh:** Three Sikh separatists were arrested last night in a train bombing northwest of Delhi that killed 39 people last week. Police reported the trio had only recently returned after living for years in the United States and Pakistan. (AP)



Delhi police use water cannon to break up a mass protest yesterday against the killing of 12 Untouchables by police in Bombay last week



Sitaram Kesri, left, president of the Congress Party, congratulates President Narayanan after his win

Elusive bandit king tapes his terms for surrender

BY CHRISTOPHER THOMAS

INDIA'S longest and most costly manhunt, a decade-old fiasco of bungling and amazing escapes, has yielded its most promising result: a tape-recorded message from the brigand Veerappan, offering surrender terms.

He is the *Houdini* of southern India, dodging even the immense might of the Border Security Force when they were deployed to catch him three years ago. Police and soldiers slaughtered suspected gang members, and he replied with a string of atrocities on policemen and forest officials. He kidnapped eight forest officials on Saturday to back his demand for an amnesty.

Veerappan is evidently weary of roaming through the south's torrid heat. He moves

from village to village distributing largesse to avoid being turned in. His gang has been reduced to four or five men who must know the end is nearing. Villagers say he cuts a splendid figure: tall, a bandolier slung across his right shoulder, a rifle across the other, and his eight-inch black moustache waxed into curls.

India's poor adore bandits who take on the authorities, and Veerappan — his only name — is the stuff of legends. He has been a criminal for decades but came to prominence in 1987 when he lynched a forest official in the southern state of Tamil Nadu.

Over the years he has kidnapped and mutilated many forest officials for trying to curb what used to be a

huge illegal industry felling sandal-wood trees and smuggling the wood to buyers across the country. Sandalwood is traditionally used for the cremations of the wealthy, and is immensely expensive.

Veerappan was also engaged in slaughtering elephants for ivory. He is credited with killing nearly 500 of them.

Three years ago when he offered to surrender in exchange for several billion rupees, his offer was ignored. This time his demands, sent on a cassette to J.H. Patel, Chief Minister of Karnataka, are said to be "less extravagant", although there is scant chance that the authorities will accept them. Judging by precedent, that is bad news for his eight hostages.

Saddam warns of deadlock over UN sanctions

FROM MICHAEL THEODOULOU IN NICOSIA

PRESIDENT Saddam Hussein yesterday served notice that Baghdad may no longer co-operate with the United Nations unless the Security Council lifts all sanctions imposed after Iraq invaded Kuwait seven years ago.

Iraq had honoured its obligations and it was the UN's turn to reciprocate, he said in a three-hour televised address to the nation marking the 29th anniversary of the revolution that brought his Baath Party to power.

Diplomats took the warning seriously and said there could be a possible confrontation in October when UN weapons inspectors report again on Iraqi compliance. Sanctions cannot be lifted until they confirm Iraq's weapons of mass destruction have been dismantled. There is no sign Baghdad can expect a clean bill of health. Saddam could retaliate by expelling weapons inspectors, violating the flight embargo on Iraq or defying the American-policed no-fly zones over the north and south of his country, diplomats said.

"Iraq has fulfilled its obligations and it is unacceptable that the Security Council should not acknowledge these sacrifices of Iraq and in turn fulfil its obligations by lifting the embargo completely," Saddam said. Otherwise, he added, relations between Iraq and the UN Special Commission charged with ridding Iraq of its deadliest weapons could "reach a deadlock".

An Iraqi analyst in Jordan, who is not a member of any opposition group, described Saddam's tone as ominous. "This is a very serious. Saddam's strategy has been to build up his people's hopes that sanctions would be lifted in the last quarter of this year," he said. "To help, he dangled lucrative oil deals before Russia, China and France to get their support at the Security Council. But far from seeing the embargo eased, Iraq was last month on the wrong end of a new resolution warning of even further sanctions unless sensitive sites were searched."

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Suspect toured gay clubs hours before murder of Versace

FROM TOM RHODES
IN SOUTH BEACH, MIAMI

ANDREW CUNANAN, the homosexual gigolo hunted in the killing of Gianni Versace, was casually cruising the gay clubs of Miami's South Beach hours before he is alleged to have killed the fashion designer.

Police last night were viewing video-camera footage from Twist, a gay nightclub frequented by Versace and the scene at which Cunanan was spotted in the early hours of Tuesday. In its key attention to detail, the gay community here appears to have been alerted to a distinctive feature that may help hundreds of police and FBI agents in their search for the human chameleon who for months has eluded capture: his thick, bushy eyebrows.

It had taken John Roberts, the club's manager, until late on the night of the murder to recognise the alleged killer on a television bulletin. "I suddenly realised he had definitely been in here in the early morning," Mr Roberts, 36, said. "No one knows what he looks like because he is always in a different disguise. But the eyebrows are always the same. I notice eyebrows and his to me seemed very Joan Crawford. They were the reason he looked so familiar to me."

Frank Scanlani, another of the club's managers, believes he also saw Cunanan the previous Saturday and the FBI confirmed there had been



Video footage shows a suspect leaving the murder scene

reported sightings of the 27-year-old on three separate nights at Twist. Versace, they said, had not been present.

Inside the club, Miami police were questioning patrons for further evidence that could lead to an arrest. Regulars, none of whom earlier had recognised their close brush with death, were racking their brains for a single memory. Police are considering various motives for the spree of killings that has led FBI agents on a nationwide tour, from Minnesota to Chicago and New Jersey to Miami.

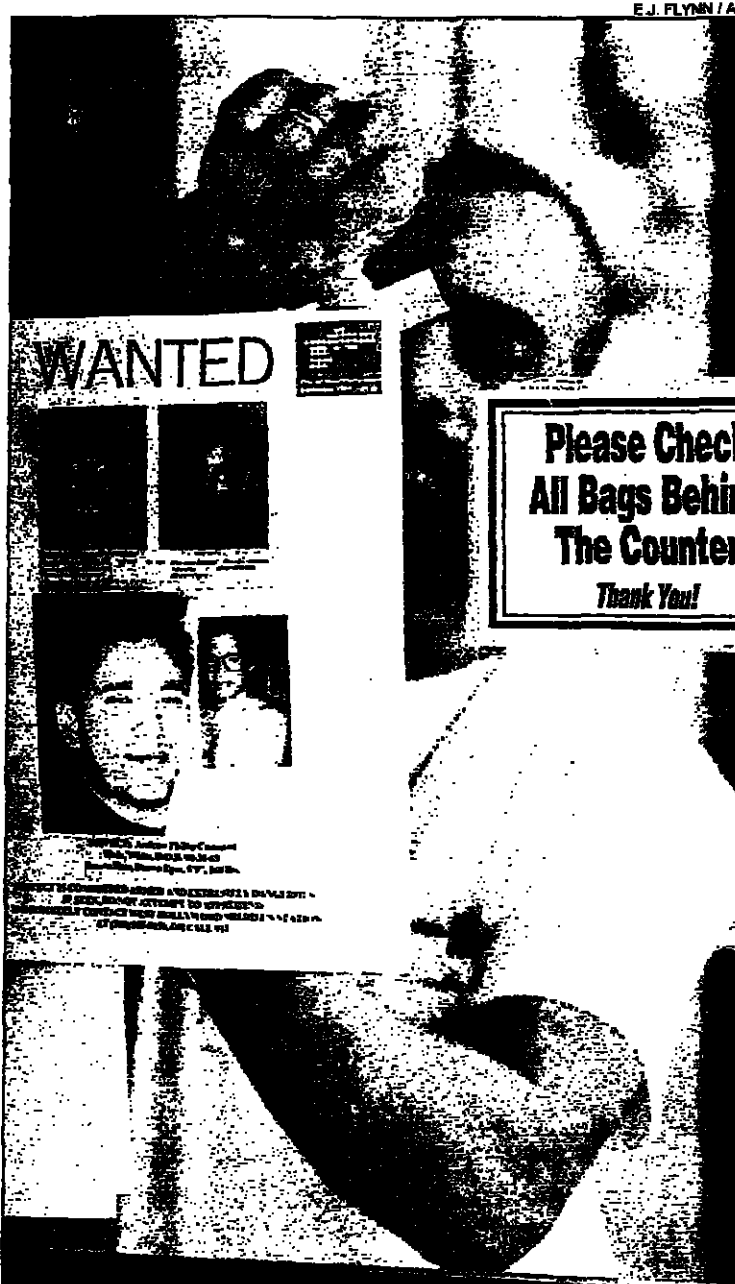
Cunanan, believed to be HIV positive, may have wanted to wreak revenge on the community in which he contracted Aids. At least one of the five murders now attributed to him was the shooting of a former lover. Versace was reported to have met

Cunanan in San Francisco years before the killer is alleged to have fired two shots at point-blank range into the back of his head outside his lavish home.

Warren Holmes, a polygraph specialist, said Versace may have rejected the sexual overtures of his killer. "It's an accumulation of jealousy and revenge that was tripped by Versace's rejection of him," Mr Holmes said.

The Versace murder may have been videotaped by a secret camera behind the door of the mansion and the FBI have been investigating hundreds of apparent Cunanan sightings in and around Miami in the last two weeks. His cheque book and passport, seemingly left as deliberate calling cards, were discovered in the red Chevrolet van he had stolen from the last crime in New Jersey. The Box, a music television station, gave police surveillance tape from one of its studio cameras, pointing down the alley through which Cunanan apparently ran after the shooting.

"This guy is very dangerous but he is nowhere near panicking," William Talaya, a former FBI officer, said. "He walked away from the last murder, apparently feeling as though he had nothing to worry about. Just think of it: law enforcement officials up and down the coast are red-faced. He is getting a serious rush from all this attention. He's arrogant and manipulative. But more than anything, he's feeding his ego."



A store assistant in West Hollywood, California, sticks a wanted poster for Andrew Cunanan, the murder suspect, on his shop door

Internet spreads Cunanan details across America

FROM TUNKU VARADARAJAN IN NEW YORK

A GAY anti-violence group based in New York has taken the hunt for Andrew Cunanan into cyberspace.

The Gay and Lesbian Anti-Violence Project is using the Internet to flood America with information on the alleged homosexual serial killer wanted for the murder of Gianni Versace. It has given detailed descriptions, photographs, accounts of his habits and interests, as well as warnings to homosexual men to avoid dangerous situations.

Chris Quinn, spokeswoman for the group, said: "We're using the Net to spread the word about him. We have blanketed the country with details."

The group has also helped to plaster the walls of New York's gay bars and gathering places with posters of Cunanan's face. The group believes that he has visited New York in the past, under the alias Andy Da Silva. His last visit was thought to have been late in May.

The Internet was buzzing yesterday as gay groups and individuals exchanged information, fears and safety tips with each other across the country.

The Federal Bureau of Investigation's "Ten Most Wanted List" website took an estimated 20,000 "hits" yesterday as Net-surfers — both the curious and the frightened —

visited the site to read about the suspect.

The site, which features nine other "most wanted" suspects, has a selection of photographs of Cunanan, which those with access to personal printers have printed out and distributed. Such prints were being handed out at entrances to gay bars across the city as grave-faced bouncers exhorted visitors to "take care now".

A number of Gianni Versace sites have mushroomed, numbering 19 at the last count. They include Internet obituaries, sentimental tributes, pictures of models wearing his fashions, photographs of Versace, as well as newspaper reports.

New York police gave warnings to Internet users of the danger that lurks in "Internet liaisons". Ever since its introduction, the Net has served as a seething bulletin board for homosexual contacts. Meetings and sexual encounters can be arranged with perfect strangers, who provide detailed descriptions of themselves.

A police spokesman said: "We caution people to take the utmost care. There can be no guarantee of safety in such encounters. Now, above all, is the time for prudence. You never know who you'll find at the end of an Internet invitation."

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British base is attacked as Bosnian Serbs vow revenge

FROM TOM WALKER IN SARAJEVO

A BRITISH troop base in Banja Luka has come under attack as militant Bosnian Serbs continue their intimidation of international personnel.

The crisis sparked by the SAS killing of Siro Drljaca, the suspected war criminal, has inflamed tension across Republika Srpska, where the state media's rhetoric now carries ugly echoes of the Bosnian war. Stiffer underground resistance movements have sprung up, and some American international police have been withdrawn into the Bosnian federation.

The deterioration in relations with the Bosnian Serbs appears to have put a hold on operations to arrest more war crimes suspects, although French, British and American Nato sources all insist they believe more snatch operations must be staged.

Four explosions — three inside the perimeter and one outside — were reported early yesterday at a small Stabilisation Force compound on the outskirts of Banja Luka, where about 100 British troops are stationed. "A couple of intruders were seen and a patrol shot at them, missing," said Major Chris Riley, a Nato spokesman in Sarajevo. "They were just bangs, and there was no shrapnel. There was no danger." Major Riley said four "civilians" were later detained and handed to the Republika Srpska police.

Harassment of international soldiers and staff and explosions near their bases have become commonplace since the SAS snatch operations last week, and some form of organised resistance, fuelled by violent language on Radio Television Srpska, is growing. An organisation calling itself *Crna Ruka* (Black Hand) has distributed leaflets in Banja Luka, Doboj and Brcko, swearing revenge

against British troops. "The URA will look like a piece of cake," read one warning.

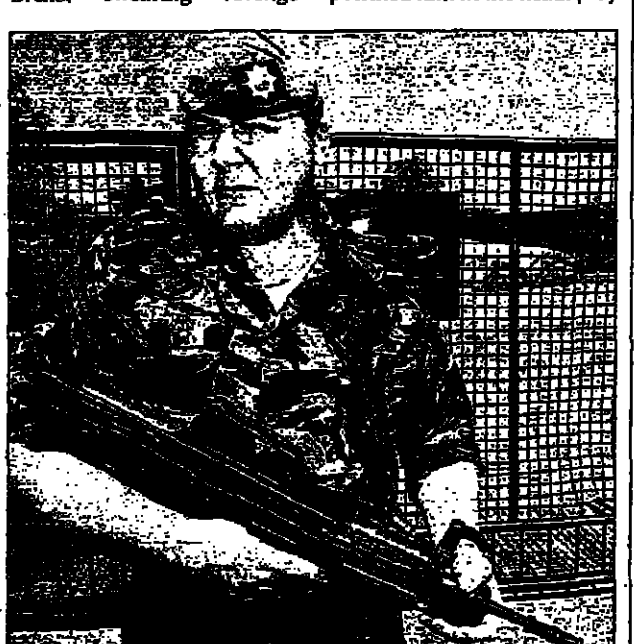
The original Black Hand was a Serb nationalist cell working at the turn of the century, which provided inspiration, training and transport for Gavrillo Princip, assassin of Archduke Franz Ferdinand. His shooting in Sarajevo led to events which sparked the First World War.

Largely unheard of since the end of that war, the Black Hand's origins — an arm holding the Serb flag, complete with skull and crossbones, knife, bomb and vial of poison — and its motto, "Death or Unity", have resurfaced on leaflets attached to Stabilisation Force vehicles and handed to soldiers. One tract specifically mentioned the Vrbas gorge. Nato's main north-south axis with Banja Luka, as being off-limits for British troops.

No special travel warnings have been given to the British community in Republika Srpska, but the American Embassy in Sarajevo confirmed that some American policemen "had been reassigned for their own safety". A source said they had been moved from Visegrad, a headline Serb town on the Drina river, after receiving threats.

□ Belgrade: Nikola Barovic, a prominent Belgrade lawyer, was seriously hurt when a bodyguard of Vojislav Seselj, the extreme nationalist leader, beat him up after a heated television debate.

The programme had to be interrupted after Mr Seselj called Mr Barovic's late father a Croatian Fascist spy and Mr Barovic retorted that Mr Seselj's wife was a prostitute. The lawyer then threw a glassful of water at the politician. Mr Barovic said Mr Seselj's bodyguard kicked and punched him in the head. (AP)

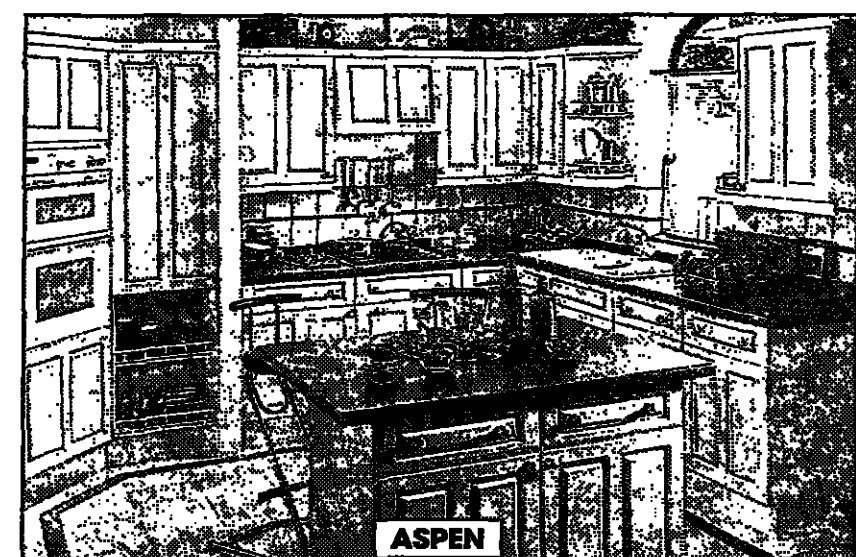


Guardsman Kirtow Ian of the Household Cavalry keeps vigil at a British base in Banja Luka after the attack

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Pupils with attitude

On the last day of term, students and staff at a school threatened with closure assess the future. Bill Frost reports

Jermain Watson is a boy with ambition, ability and anger. He wants to be an architect, not an unemployment statistic, and says he has been betrayed by an education system which consigned him to a school named and shamed as among the 18 worst in the country.

The teenager's fury is shared by the brightest and the best at Kelsey Park in Bromley, which has until the beginning of next term to raise standards — or face closure. Pupils who care about their future fear the south London school's unenviable reputation will drag them down.

"When you tell people you go to Kelsey Park they jeer at you, think you are thick — it would be the same if you were looking for a job," says 12-year-old Jermain. "I am asking my mum to let me leave."

Richard Harknett, the headmaster, shares his pupils' anger. A relatively recent arrival, he had begun to rebuild the school's reputation before the threat of closure was made.

Mr Harknett was told in May that his school, like 17 others, had four months to shape up or close down. Inspectors will return to Kelsey Park in October.

"If progress has been made, we stay open. Should they conclude that the school is still failing, they can close us, then and there," he says.

Headmaster of a school in Buckinghamshire before moving to Kelsey Park in April last year, he was under no illusions. "I knew what I was getting into," he says, weeding out ruthlessly the teachers "unwilling to roll up their sleeves and turn this place around". More than 60 per cent of his staff will be leaving today at the end of term.

"Some are going elsewhere, others haven't secured new jobs and the remainder are taking redundancy," he says. He is disarmingly frank about his school's shortcomings.



"When you tell people you go to Kelsey Park they jeer at you, think you are thick — it would be the same if you were looking for a job," says one boy

ings: "I know that morale is low, bumping along the bottom. It is not very pleasant being described as 'a failing school'."

If Mr Harknett were able to draw more of his 800 pupils from this affluent corner of outer London, the school's academic standards would inevitably improve. However his boys come from the borough's badlands — Anerley and Penze — and from even meaner streets in Lewisham.

"There is prejudice against this school because we are not really part of the community and some of the boys don't do us any favours. They have been responsible for rowdiness and vandalism," he says.

At break, the boys scrap, smoke in the clump of trees at the edge of the playing field or knock a football about. A large group gathers around two pupils playing blackjack — "not for money though, mate, just for fun".

They all appear cheerful and there is none of the playground menace one might encounter closer to the centre of the capital. However, there is an undercurrent of suspicion and irritation.

"Come to make us look even worse have you," says one boy with a scowl. "Crap school, crap kids... that kind of stuff?"

"Well you've got it wrong. No matter what the papers say, Kelsey's not that bad. OK, some of the teachers couldn't care less — they swear and make racist remarks — but others are OK; they care about us and we like them."

"We've all been made out as thick," says another. "How would you feel if your kids were branded dim by people who don't even know them?"

Tony Illingworth, head of the English department, holds the attention of his class with a mixture of wit, enthusiasm and discipline. He is a popular teacher and the boys listen intently as he spells out again the rules of grammar.

Jermain and his friend, Chez Snagg, also 13, respect Mr Illingworth. Unlike other members of staff, "he cares".

Mr Illingworth obviously does care — he wants his pupils to be prepared for the outside world when they begin the search for work. He is incensed at the closure threat and the damage done to the school's fragile morale.

"I have just about domesticated my out-rage, although it has been difficult. It is hardly surprising — on the day the school was named, the boys were met at the gates by reporters asking how it felt to be thick kids at a sin-bin school."

"It was a really shameful decision to threaten Kelsey Park with closure. So much progress has been made and now recruitment of new teachers has been damaged and few parents would accept the school even as a second choice for their children."

He describes Jermain and Chez as "very gifted pupils — just the sort of boys we need to improve academic standards".

He is saddened but not surprised that they should want to leave.

Chez requires no prompting when he talks of Kelsey Park's failings — he is articulate and has clearly considered his future. He says staying at the school with its peeling paint and bad reputation would bury any chance he has of achieving his ambition to become a lawyer.

"Mr Illingworth is great and so are some of the other teachers — they make lessons past tense. The worst is over and his job now is to turn the school around, he says."

The negative publicity is very worrying, particularly when progress is being made. However, those teachers who are staying on, and the new recruits, will be here next term because they want to be here.

"It is galling that the school is at best a second choice or at worst a last option. That's why our reorganisation must be aimed at academic recovery."

His action plan will have a familiar ring to those educated in the Fifties and Sixties. He is introducing a house system, "linking the pastoral and academic elements".

Sixth-formers with prefect status will police the school and encourage pupils to feel part of Kelsey Park. "But perhaps the most important element is the commitment of the remaining core and the new intake," he says.

Jermain dismisses the reorganisation as too little, too late. "I don't believe that this school will give me the start in life I deserve. What sort of teachers would come here after hearing that the school is one of the worst in the country? Bringing in a house system is not going to change anything either. It will be the usual story — just as you get to know a teacher they will get stressed out and sick of Kelsey Park and leave."

Chez is even less optimistic. "I just want to leave. If you have been let down by teachers once why should you trust them again?"

Perhaps the boys underestimate their heads' determination, though. Richard Harknett's obvious energy and reforming zeal have already moved mountains with academic results improving steadily since his arrival.

However, he is working against the clock. Should the inspectors decide that the school is beyond salvation, his efforts will have been in vain. He will be looking for a new post and his pupils' worst fears about the system will have been confirmed.



Richard Harknett

interesting. But the majority of them are not really interested in us at all; they just want to get through the day.

"And there's the abuse, too. I was told that the only thing I could do when I left school was sell drugs."

"Why say that? My exam results are good, I am always in the top 2 per cent. I want to be educated and yet this person says that kind of thing... It is just because of my colour I suppose."

It is hard not to share this exceptionally bright boy's anger when he speaks of staff who tell a class to "read a book or something and remain quiet" until the lesson ends.

"The school has no focus," says Chez. "We are here to learn and too many of the teachers are just wasting the day away — they lost their sense of purpose."

Insisting that "the green shoots of recovery" have already appeared, Mr Harknett puts the boy's analysis in the

From rocket builder to spaceman

Anjana Ahuja on Michael Foale, the man who would save Mir

When Michael Foale was six, he tried, unsuccessfully, to build a rocket using a plastic bucket and a piece of corrugated iron. Thirty-four years on, the British-born astronaut is floating 170 miles above Earth aboard the ailing Russian space station, Mir.

That Michael is on Mir at all owes much to chance. He was given a place only at the last minute, when another astronaut had to drop out because he was too tall to fit in the Soyuz escape capsule. Now the fate of Mir, which has been losing power since it was struck by a cargo ship a month ago, could rest with him. Next week the former Cambridge astrophysicist is expected to undertake one of the most perilous spacewalks ever, to reconnect power cables that were ripped out in the collision.

He is, no doubt, deriving great comfort from the last package to be sent from his retired parents, who live in Cambridge. Air Commodore Colin Foale says: "Michael does like his tea. We sent him Sainsbury's Red Label tea-bags and some chocolate."

According to Air Commodore Foale, Michael's quest to conquer space continued unabated throughout childhood. After being rejected by the RAF because of a lazy eye, Michael decided to become an astronaut by taking the academic route. After leaving King's School in Canterbury, he sailed through his Natural Science Tripos at Queens' College, Cambridge, earning first class honours and a PhD in laboratory astrophysics from the Cavendish Laboratory. He also learnt to fly and dive.

In 1982, armed with his dual nationality passport (his mother, Mary, is American), Michael flew to Houston, booked himself into a motel and turned up uninvited at the Johnson Space Centre, where astronauts are selected and trained.

He had picked the wrong time — there were no vacancies. But NASA executives were so impressed that they recommended him to McDonnell Douglas, the huge aerospace company, with the proviso that he return to NASA as soon as a slot arose. Within a year Michael was on the NASA payroll, and by 1986, he was on the astronaut training programme.

His parents flew out to Houston soon afterwards. For the Foales, the visit was marked not only by a tense ride in "a helicopter straight out of M.A.S.H." eagerly piloted by their son, but something much more profound — the Challenger disaster. Seven astronauts perished.

Air Commodore Foale retains vivid memories of that day. "Michael was out at work, and Mary and I were in the flat listening to some classical music. Then the programme was interrupted to bring news of Challenger. It was really awful. Michael knew the crew. It is one thing

to lose a stricken but to lose astronauts was dreadful. But Michael didn't waste too much time with tears; he was soon applying his analytical mind to what went wrong."

Michael's father refused to allow the disaster to affect him too deeply. He has experienced tragedy himself — Michael's younger brother, Christopher, died aged 21 — and he says, matter-of-factly: "It was always quite obvious that Michael was going to be involved with something risky. He's like me, in that we find physical and intellectual challenges stimulating. Preparing for them is almost as good as doing them."

When Michael and his wife, Rhonda, a mineralogist who has now stopped working to look after their two children, Justin and Ian, celebrate their tenth wedding anniversary on July 31, he will still be on Mir.

It is Michael's fourth mission — he is the second Briton in space, after Helen Sjöström, but the first to have performed a spacewalk (to test a spacecraft).

Yesterday morning an e-mail from Michael arrived. Although the contents are officially secret, it was clear things had deteriorated. Air Commodore Foale fears that Michael and the two cosmonauts may have to evacuate. "That would be awful because it would probably mean the end for Mir," he says.

The repair mission is demanding and dangerous — two crew members must venture outside to reach disconnected power cables, while the remaining astronaut waits in the Soyuz escape capsule. Foale was to man the capsule before Vasily Tsibilyev, Mir's commander, developed an irregular heartbeat.

The proud Foales, who also have a daughter, Susan, 35, were yesterday planning to spend the day with friends at an open-air staging of *Macbeth*. They have every faith in their son: Air Commodore Foale says: "I was actually pleased when I heard Michael might do it because I feel he'll do a better job. Mary and I don't worry about it — worry is a corrosive thing."

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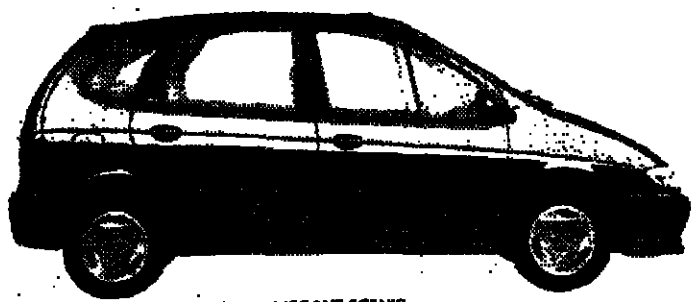
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The love match that trumps Ivana

Behind the glitzy playboy image of Riccardo Mazzucchelli lies a very different man - and a romance that lasted 22 years



Riccardo with then fiancée Ivana Trump, October 1994

Riccardo Mazzucchelli is an international businessman, society jet-setter and the current husband of Ivana Trump. He has things to do, people to see - yet a letter to his Knightsbridge office prompts a return phone call. "How are you?" I inquire. "I could be better," he replies with a strong Italian accent, a distinctly hang-dog tone and - perhaps surprisingly for a man on the brink of an acrimonious divorce - a touch of humour.

There are, at the moment, many who would like to know how Riccardo is. America's *National Enquirer*, in particular, would like to know. It has already run two inflammatory stories this month, one

PRs. The world's media were invited but Riccardo stood up and announced: "This is something very private; we are just having a few friends; there are only 120 seats." His nadir was when he followed Jeremy Beadle's injunction to stand on a chair and dropped his trousers in front of the Duchess of York. But above all, he married Ivana Trump. What kind of man does that?

It is a more complex question than it might appear. Friends suggest he was naive. One recalls him reading the newspapers and asking: "What does vulgar mean?" He had, apparently, no idea how she was perceived in England.

When one first talks to Riccardo, however, he does indeed sound like a talking medallion. He describes his business triumphs; how he made his fortune from engineering and town-planning in the Third World, in an Italianate ramble. Yet he follows this with an apparent non-sequitur: "I'm the type of person

I idolised Riccardo, but I didn't know what the world was like

gone on, had not a Manhattan judge imposed a restraining order on the couple.

Riccardo is very sensitive about his perceived image as a gold-digger. He first met Ivana in 1975, at a dinner at Claridge's. She was in the process of negotiating an enormous payout from her second husband, Donald Trump (her first, brief marriage was to an Austrian). From the start, gossip columnists hinted that Riccardo was simply after her money.

They were engaged in October 1974, but the original June 1975 wedding date was cancelled after Riccardo reportedly refused to sign the prenuptial agreement - more ammunition for those who thought him greedy. Finally he did sign and they married in November - but his reputation was in tatters.

Yet one has only to look at Riccardo's sumptuous Chelsea pad - he divides his time between London and New York - to see that this is a man of considerable style and even more substance. The chandeliers, antique furniture and swag curtains shout wealth.

Sadly, however, one tends to feel one knows a great deal about Donald Trump's Italian replacement even before he speaks a word. There are the effusive statements - "I hope to spend the rest of my life with this wonderful woman" (December 1991, just before their engagement party at Syon House, orchestrated by Liz Brewer, the doyenne of society

that believes that, however differently people may behave today, a man may kiss but certainly cannot tell." He clearly feels that his honour is at stake and wants to make it plain that, gagging order or not, he is not the type to attack his wife.

This is all very well, but even if we accept that Riccardo is a man of dignity, shamefully traduced by the media, what comes next is unexpected. Riccardo suddenly says: "I'm still very good friends with my first wife. We were together for 22 years." They have one son, and it was his only marriage before Ivana.

So I decide to call Stella Metaxa (her maiden name) in Athens. What emerges, to my surprise, is a rather moving love story. Stella turns out to be an intelligent, humorous and down-to-earth woman. What's more, she speaks perfect English, having been sent to a Surrey boarding school by her father, a Greek sea captain. The very fact that she stayed with Riccardo for 22 years speaks volumes for him.

Sadly, it appears that it was Stella who ended the marriage, wanting to move on to what she thought would be a better life. Then he met Ivana and fell in love. Now that relationship has crumbled, it is difficult not to perceive him as something of a little boy lost. A friend even describes him as "a lamb to the slaughter" in the relationship with Ivana - and frankly one can believe it. However bad his



The media said Riccardo Mazzucchelli was after Ivana Trump's money, but his friends say he is a genuine man

behaviour may have been at times. It is also significant that when I ask after his parents, he immediately tells me that they "are still together after 60 years". Marriage matters to him.

"Riccardo is a born provider," Stella begins. "Let me give you a few examples. I was 16 and staying in Italy on my way back to school in England when I met him. He was 18, and going out with a girl who looked very much like Ivana - when I saw Ivana I immediately understood why he had liked her. Anyway, I fell head over heels in love with him and he with me."

"He was extremely good-looking then and very protective. We wanted to marry but I was only 18, and thought my parents would not accept it, so we eloped to Zambia, where his father had taken on an engineering contract. One of the first things he said to me was 'You're not to take a cent out of your bank account.' I wasn't especially wealthy anyway but he was just determined to provide for me."

They spent around the first ten years of their marriage in Zambia. "He took over from his father. When his business took off he built a fantastic house, but at first it was tough."

Riccardo was 24 when their only child, Fedele, nicknamed Delhi, was born in 1966 in the

local Zambian hospital. "Riccardo wanted a son very, very badly. Delhi was premature - he was only 4lb 13oz. Riccardo wasn't allowed in at the birth, but when he saw the baby he picked me up in his arms and whirled me round. It was one of my best moments, he hailed her out of a bad property deal."

Given these glowing reports, why did they split? "Well, we married in our teens. I'd never worked. I absolutely idolised Riccardo, and loved him very much, but having lived in Zambia, I didn't know what the outside world was like and I wanted to. Frankly, I don't really like what I see. I was better as I was. There's a still a lot of respect between us. I explained to Riccardo, 'I still care for you. I love you very much as a friend, a companion, a brother even, but if we don't separate now it will go sour.' There were no outside causes behind the separation."

They gained a legal separation around ten years ago, but didn't divorce until Riccardo wanted to marry Ivana. Stella has never remarried. When her mother had a triple heart attack she returned to Greece. Their son married a Tokyo-born fashion executive, Naomi Miyashita, and in March 1996 they had a daughter, Katerina. But within a week of the birth Naomi was found to have cancer. She died in London a month before her daughter's first birthday. The family, including Riccardo, was there. "It was the worst year of my life," says Stella.

Riccardo appeared to feel guilty that he was not more involved in looking after their granddaughter - she is in Athens with her father, grandmother and great-grandmother, who live a few doors from each other. But as Stella points out: "Riccardo can't stop his life and look after a grandchild."

The man Stella describes is not at all the man whose antics have entertained the British public. "Maybe in the beginning he was so besotted with Ivana he gave the impression that he would be just a lamb lying there," she says. "But of course he is more domineering than that."

It seems rather a shame that Riccardo could not have stayed with Stella, and thus avoided the whole Ivana circus. "I don't want to draw comparisons," he says. But he can't help himself: "From 1966 to 1997, Stella has proven to be very composed, very loyal. We're good friends and sometimes that's more important than the love that comes and goes. A woman can feel for a man and after a while not feel as much... our rapport is tied with the past and with respect."

He agrees to send some family pictures: Stella and Riccardo in Lusaka, Tanzania, Ibiza. Several of their son at different ages, including one flanked by his parents at his graduation. The first Rolls-Royce. The first Ferrari. A whole existence, a real man - all pre-Ivana.

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Riccardo, Stella and baby Delhi in Tanzania



In Zambia, July 1967: "At first it was tough"



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Philip Howard



■ **Lest we forget: The Times printed *Recessional* — but not before Kipling had binned it**

A century ago at the end of the Great Queen's Diamond Jubilee, *The Times* published *Recessional*, which it had commissioned from Rudyard Kipling: "God of our fathers, known of old..." This is one of the best-known poems in English, still followed at school founder's day celebrations, omitting the fourth verse. The poem marked the turn of the high tide of Empire. It also encapsulates paradoxes of Kipling's reputation and his relationship with *The Times*.

The paradox of Kipling's reputation: before *Recessional* he was a popular writer. But after it he became a controversial celebrity, the poet of Empire, accused of jingoism, snobbery and racism. Kipling was not the Poet Laureate, although he should have been instead of the pathetic Alfred Austin, whose official verses are still quoted for their unconscious humour. The rumour that Queen Victoria blocked Kipling's candidature because she was offended by his ballad *The Widow of Windsor* is, based on a bogus letter. It is an irony of literary history that *Recessional* is the first bit of evidence for his jingoism. For it is a warning against imperial triumphalism.

The devil comes in the couplet. "Such boasts as the Gentiles use, / Or lesser breeds without the Law." Apologists say that one should concentrate on the last three words. There is room for all within the law, which sees no breed which has accepted it as greater or lesser than another.

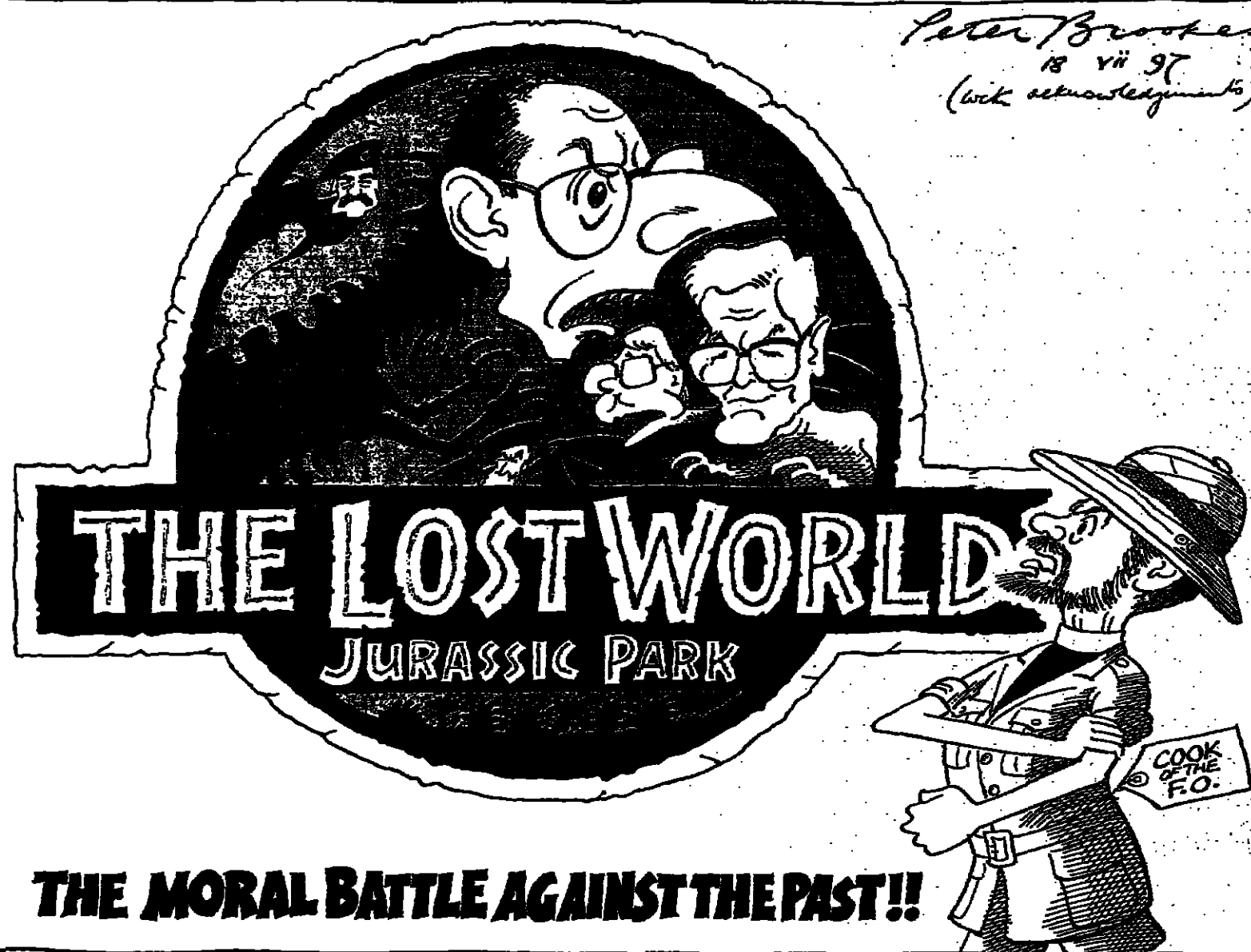
The irony of the poem is that Kipling got writer's block over his Jubilee ode, not helped by frequent telegrams from the Editor screaming for copy. He found one line, "Lest we forget", echoing the glories of the English hymnal, and was playing with lines around the tune of *Eternal Father, strong to save*. Then, on July 16, 1897, his house guests at Rottingdean found crumpled sheets headed "After" in a wastepaper basket, and protested that they were too good to chuck away. Amendments were made "in council", including the repetition of "Lord God of Hosts, be with us yet; / Lest we forget — lest we forget" as a refrain. "Aunt Georgie" (Lady Burne-Jones, Kipling's maternal aunt) took a fresh copy of it up to London. And it appeared on July 17 on the middle page of *The Times* under a new title *Recessional*, and with an outland paragraph of approval in the leading article.

Kipling's account of the business is as economical with the truth as the rest of his memoirs, written 40 years later. The paradox of Kipling's relationship with *The Times* was that until *Recessional* Kipling was on the best of terms with the old guard at the paper. We paid the infant prodigy the honour of a leading article when he arrived in England. And he gave us his "moral" poems free "because for this kind of work I did not take payment".

After *Recessional* he became the eminent freelance from hell, fussing obsessively about commas and layout, publication dates and payments, refusing to deliver copy and taking his work to rival newspapers. Kipling was traumatised by the Boer War and then the Great War. He formed the opinion that *The Times* had become a dangerously radical organ. This was a heroic effort of self-deception in the early years of the century.

The paradox of *Recessional* is that it exhibits the best and the worst of Kipling. The first verse is in part "a splendid hymn speaking over the world". It is rich with his master Horace's metaphors (substituting an attribute for the thing itself, as in "pine and palm" and "valiant dust"). But it is more involved than most of Kipling's rattleingly fluent verse. It does include politically incorrect and offensive references to Gentiles, lesser breeds and heathen hearts. For Kipling did become racist about Jews, "Huns", Portuguese and "lesser breeds". There are also errors of syntax and logic. When he writes "Judge of the Nations, spare us yet", he fails to notice a contradiction. He should say "spare us, even though we forget".

Kipling was a great short story writer and a fine poet when on form. *Lest we forget*. He became a jingo and a prima donna. But he still wrote wonderfully about all races and classes and conditions of men. *Recessional* is a flawed masterpiece that marked a turning point for the Empire and Kipling. Thank goodness his guests rescued it from the bin.



THE MORAL BATTLE AGAINST THE PAST!!

BBC Centre cannot hold

A Scottish parliament would take over arts, sport — and public service broadcasting

Canoeists and swimmers learn that dangerous underwater currents can betray their presence in different ways. A troubled and choppy surface, for instance, may signal disturbance below. But not always. In some conditions a less obvious telltale will appear. The water's surface may appear fairly flat and unbroken but on closer study reveal tight little knots and swirls, like the rippling of a muscle. This is the most dangerous signal of all. Powerful currents, an agitation of real force, may lie beneath.

Next week the Government publishes its long-promised White Papers on devolution. The Scottish Referendum Bill (now in the Lords) was gullied in the Commons: if MPs blinked, they missed it. So, apart from Scottish questions (which have occurred only twice since the general election), the issue has barely surfaced. The Prime Minister hardly seems to have been troubled by Scotland at his now less frequent PM's Questions session.

For the political canoeist, to watch Scottish Questions this Tuesday — the last before the referendum — was to see not the angry surface of an obvious maelstrom, but those characteristic tight, muscular little knots of tension which so reliably indicate vexation below. (I speak of the Government side alone: for the moment the Tories are irrelevant to the debate.) In brief, I have no sense of any settled consensus among and between either front or back benches on the government side, as to where this thing is going.

Though Tories scoffed, there was actually much sense in Tony Blair's assertions before the election that constitutional change should not be poked and snipped at but faced head-on, argued through in principle and set out openly beforehand. So often in Britain we make one small step because it seems the best thing at the time, only to discover that it leads somewhere we never thought we wanted to go. What is slipping through now is just what Mr Blair has said was so unwise: a refusal to come to grips with change; an unwillingness to ask ourselves what we want.

Where, then, is this going? I can put one possible consequence: not the most important of the myriad consequences which may flow, nor one either to be feared or desired, but a "for example" — just one — which intrigues me, which serves as a telling illustration of how strong these currents may prove, and

which almost nobody seems to have noticed so far. When England and Scotland become two nations with two legislatures and two systems of administration, what case is there for the continued broadcasting supremacy of the BBC? Why not set up a separate Scottish Broadcasting Corporation?

Has anyone thought this through? Let me suggest the devolutionists' case as it must emerge, in all its force and logic. The argument for devolution is distinguished from the argument for independence by its reliance on the idea of "subsidiarity". This is a hideous expression but a clear and powerful philosophy. It means devolving downwards all those functions of the State which can be better or more popularly exercised at a devolved level. The White Papers on Scotland and Wales next week will help to clarify which these are. In Scotland's case, they are likely to include most of the present powers of the Scottish Office, and all matters under the purview of the Scottish Grand Committee. Scotland already has its own legal system and police forces, and many of the Home Secretary's functions will be transferred through abolition to problematical Health, education, local government and transport should be matters for a Scottish parliament. Even taxation will be able to be varied, within limits, by that assembly.

So can anyone tell me why a ministry called, until recently, "Heritage", and this week renamed "Culture, Media and Sport", will not be returned to the Scots? That Scottish heritage, culture, media and sport are concerns the Scots cannot be trusted to administer strikes me as an assertion with which the Scottish National Party could have a great deal of fun; and not one which the Scottish Secretary, Donald Dewar, will wish to make.

What does the former Heritage, now Culture, Department do? It administers the arts. If a sense of nationhood means anything, it must surely involve a sense of shared culture. Why cannot Scotland take care of its own music, dance and

fine arts? What concern have English MPs in such matters? Heritage in its original sense, too — the care of listed buildings, ruins, monuments — already organised from Edinburgh, should be no concern of a London Cabinet. Art galleries and museums could not possibly remain under Westminster's control.

And the Culture Department administers the National Lottery. If the demand that a Scottish parliament take responsibility for the distribution of lottery grants in Scotland does not quickly prove irresistible, then my surname is McLeod. Culture (or Heritage) administers sport. It will be a brave Chris Smith who tells the new Scottish Parliament that the Scottish Premier League cannot be overseen in Scotland. Parliamentary questions on the Edinburgh Tatoo, or the Highland Games, to be put to an English Secretary of State in London? You must be joking.

And, finally, there is broadcasting. Commercial broadcasting has already been devolved in its execution, so surely its supervision and regulation must be broken up too? Only the BBC remains partially undevolved. BBC Scotland exists already. This has tended to supplement rather than replace the BBC's "national" output. On television, BBC1 and BBC2 in Scotland carry much that they do in England, but replace a good many programmes with their own. The BBC's five national radio channels are available nationwide, but in Scotland there is also the BBC's Radio Scotland. Conceptually, the structure is rather a mess — there being, for instance, no Radio England — but much of the BBC's ostensibly national output is noticeably Anglo-centric. Organisationally, the corporation remains very much that: a corporation, its operations scattered all over the United Kingdom but its power structure centralised and pyramidal. The back stops in London.

Why should it? Hot on the heels of the first wave of devolution must come calls for a complete reorganisation of public service broadcasting. It may be that an umbrella organisation needs to remain in London to supervise the World Service and organise the production and sale of programmes; but why should London be pumping out five "national" radio channels and two television channels to Scotland, under the aegis of an English Director-General, a London-based Board of Governors — and an Englishman called Culture Secretary — and answerable to an overwhelmingly English Westminster Parliament? It is true that these include a measure of regional input, but as a "devolved" Scot I would call that a sop. The case for a Scottish Department of culture, media and sport, responsible to a Scottish parliament, and a Scottish broadcasting corporation with a Scottish director-general who takes no orders from London, is perfectly unanswerable.

Mr Dewar and Mr Blair, however, will have to try to answer it next week. For unless I am mistaken, much which I have proposed above will not be conceded in the Scottish White Paper. Over the decade ahead stretches the miserable prospect of an unceasing ground-battle for strategic positions in public administration, with Westminster's troops in slow, uneven retreat.

How I wish I were on the winning side! As a Scottish nationalist, what speeches could I make! Imagine the angry trade on broadcasting, in an Edinburgh parliament, as MPs debate a motion demanding a nationwide campaign of non-payment of TV licences. "Mr Moderator, if that is what they call him! If a nation is a nation, it must have a voice, or how is nationhood to be expressed? And what is a nation's voice if not heard in confident control of public service broadcasting? News, the arts, entertainment, sports reporting... it is through these that we speak to each other as a people. And we now to be told that we may not speak direct, but through a filter held in London by an Englishman, answerable to another Englishman, answerable to an English Parliament? Prime Minister Blair (cries of "Sassenach!") has already told us we are comparable to a parish council. Now his lickspittle Dewar (cries of "Uncle Tom!") tells us we are incapable of running a radio station (cries of "shame!"). How many more insults must we endure...?"

Oh, it is all so wretchedly, dreadfully predictable.

A Foreign Secretary to test us

Cook's high-minded policy is hard-headed too, says John Lloyd

The Foreign Secretary yesterday stepped up to the rostrum of the Foreign Office's Locarno Room and, in his customary precise and sardonic manner, carefully fashioned a rod for his own back.

The rod was given a glitzy launch. It was introduced by Zeinab Badawi, who reads Channel 4 News. It was endorsed by Will Hutton of *The Observer*. Has any government initiative ever before been presented by a bright and beautiful TV anchor, enthused over by an MP not from the government benches and approved on the spot by the Editor of a national newspaper? Robin Cook's style — inviting into the Foreign Office's gilded chambers a range of pressure groups, non-governmental organisations, academics and media personalities — makes his the earliest constellation in the Whitehall galaxy.

His theme was that human rights must be a central concern of foreign policy, that — to steal a phrase adopted by the Prime Minister when he was Leader of the Opposition — we are our brothers' keepers. Modern communications and the omnipresence of the cameras mean we watch horrors from abroad nightly — and, says Cook, "the fact that we are witnesses in our sitting rooms to those events requires us to take responsibility for our reaction to such gross breaches of human rights".

The word the Foreign Secretary used was "require". The rod opened up by this word is full of grief. Leaders who promise to export goodness have rarely escaped mockery and disappointment. President Jimmy Carter's efforts to do so were widely seen to have failed: Henry Kissinger devoted large parts of his book *Diplomacy* to a sustained attack on the battiness of seeking to make foreign policy beholden to an idealistic impulse.

Cook himself emphasised that human rights had been raised in public consciousness by the media. Chamberlain's famous dismissal of the pre-war Czechoslovak crisis as "people of whom we know nothing" would, he said, now be impossible: "no country is too far away for us not to know instantly". But the media's attention is fickle — now intense, now indifferent — and public attention follows suit.

Douglas Hurd, when he was Foreign Secretary, commented, in some exasperation on "the many who, in their indignation at a particular tragedy, argue in a way which implies that Britain should take part in tackling every wrong". But Mr Cook has set himself against this received, conservative wisdom.

And what interests he is taking on! In seeking to inject an ethical dimension into foreign policy, and in particular into the criteria used to issue licences for the export of arms (a review of which is still going on) he is courting the wrath of the defence and aerospace industry lobbies, which employ 500,000 people and export nearly £5 billion worth of weapons a year. The Scott inquiry into arms sales to Iraq showed our last Government willing to slide round its own rules to keep the contracts coming and the arms production lines moving. These pressures are real: Labour is hardly likely to be less sensitive to charges that it is destroying jobs than the Tories.

Finally, the promulgation of high principle leaves low compromise ever vulnerable. From now on, every time the Foreign Office agrees to look the other way, to allow an arms contract to a government with a doubtful human rights record, to laud a relationship with a state which oppresses, imprisons and tyrannises, Mr Cook will be in the hypocrite's dock. Remember what happened to John Major after he promulgated an era of family values? It seemed as if his Cabinet were composed solely of serial adulterers. Henceforth, British foreign policy can be represented as failing every test of moral probity.

Yet, to hear Mr Cook stand and say that the basic tenets of the Universal Declaration of Human Rights — the rights to life, liberty, the practice of religion, participation in government, freedom from torture and freedom of thought — were "self-evident" and must be furthered was to feel that Government was taking a step towards proving itself worthwhile.

To listen to a Foreign Secretary commit his Government to sanctions against states which grossly violate human rights; give warning that the criteria for arms exports would be tightened; promise that the exploitation of children would be actively opposed; give money to the International Criminal Court to enlarge its tribunal space to allow it to try war criminals more quickly and proclaim his support for a pluralistic media where it is threatened was to feel pride — a feeling, not, I judge, confined to his own party's supporters. This country's leaders have, since the war, found it impossible to come up with a "certain idea of Britain". In part, at least, such a notion might be found in seeing our power — not yet negligible — used to advance rights which "most would agree should be available everywhere".

Cook is a canny, cunning and ambitious politician. But he is in politics for something: his ambition seems to include wishing to leave the world better than he found it. He ended his speech with a challenge to business, to the media and to the public to meet him on the terrain of putting our actions where our rhetoric is. In the end, he has made a rod for our backs too. And so he should.

John Lloyd is associate editor of the New Statesman.

Booked up

GRUBBY demands for money from the BBC have helped to persuade the Booker Prize management committee to move television coverage of their awards ceremony to Channel 4, where it will be produced under the tenuous aegis of Melvyn Bragg and LWT.

The BBC, which has televised the ceremony since 1987 having snaffled it from LWT, argued that Booker, a company with a multi-

billion-pound turnover, could at least help with production costs. Its unprecedented demands meant that the show went to Channel 4, which not only offered a better all-round presentation but was also happy to pay its own way.

The format of the main ceremony is likely to stay the same — dinner and prizegiving in Guildhall. Bragg, however, is said to have some ideas about "packaging" the whole event more jazzily. There will be a late-night discussion programme on Booker eve and a live hour-long programme based on the awards dinner. Other short programmes will be dotted around the schedule, including one allowing readers of the books to express their views.

"Melvyn Bragg has lots of ideas about projecting the event better," says an LWT spokesman. These involve lighting, the pace of the show and possibly the dress code. Will new Labour lounge suits replace the traditional black tie? "That is definitely worth speculating about," says Bragg's man.

There is a new terror stalking the House of Commons known as Redwood-Lite. Walking like a mummy from a Hammer film, it

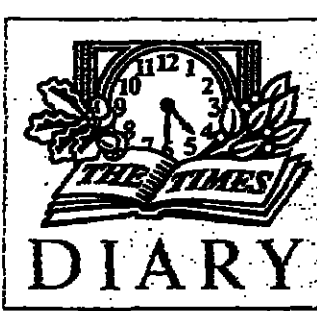
sneaks up behind Tory MPs, touches them on the arm and with a smile fixed as though with a coot-hanger tries to make small talk. "John was so glum after losing the leadership campaign," says one victim of his icy touch, "that he is now trying to be more friendly and overdoing it."

Pianissimo

TECHNOLOGICAL advances have rendered Andrew Lloyd Webber's pianos redundant. The composer is selling off three of his favourites, two Bluthner grands and a white Japanese number. On one of the Bluthners Lloyd Webber is said to have composed *Cats* and *Phantom of the Opera*.

The concert grand, estimated by Sotheby's at between £30,000 and £50,000, is being disposed of in favour of a less distinguished electronic Yamaha Clavinova. The reason, according to one close to Lloyd Webber, is that he can attach his Yamaha to a computer.

Not to be upstaged by the Prime Minister's wife, who accrued a £2,000 hairdressing bill during last month's G7 summit in Denver, Baroness Thatcher has been spotted with a new apricot hair-rinse. Once described by the National Hairdressers' Federation as "a million-dollar advertisement



for British salons". Lady Thatcher has done her hair in innumerable shades of brown and yellow, culminating in a lemony blonde when she left office in 1990. "The Baroness visits a local hairdresser



Benson: no invitation

several days a week," says a voice in her Belgravia office. "Her colouring is strictly private."

Home alone

ONE face missing from Camilla Parker Bowles's 50th birthday party at Highgrove this evening will be Charles Benson, the portly London socialite, who stuck up for her on last month's Channel 5 documentary, *Camilla*. He will be sitting at home rather than partying with friends such as the Earl and Countess of Halifax, the Palmer-Tomkinsons, and even his wife, Carolyn Benson, the Prince of Wales's party organiser.

Benson defied Mrs Parker Bowles's plea not to co-operate with the documentary and agreed to be interviewed for money. Comments such as "She is no longer the witty, smiling personality that I knew so well... her friends have seen her go down and down" would have been irksome to his old friend. Speaking from his London home yesterday, Benson sounded glum: "I never expected to be invited, but I suppose most of my friends will be going."

Hunt over

BAD news for those men wanting to sling an arm round Her Fol-



Tara: not so lonely

ham Highness Tara Palmer-Tomkinson. In an interview in next month's *Vogue*, she says "Do you know, my life is so lonely? I just can't find a man who wants to settle down with me — I suppose they must find me terribly threatening." She has since found herself a man: Mike Strutt, grandson of one Lord Belper.

Strutt, a swarthy Old Etonian, has had careers as a motorcycle taxi driver, pop musician and football coach in Los Angeles. His circle overlaps with the polo/restaurant set from which P-T has chosen past boyfriends.

P.H.S



WHISPER WHO CARES

The UN has seen off this sort of 'quiet revolution' before

Kofi Annan, the UN Secretary-General, is the insider's insider. In principle, his long UN service gives him advantages. He knows, or should know, where the bodies are buried, where to expect most resistance to change and how best to circumvent opposition. The concomitant risk is of a "realism" that inhibits the imaginative reordering of priorities and methods that the UN needs. In the package of reforms Mr Annan has just unveiled, caution is too much in evidence.

Despite some real progress on management — most of which had already been put in train by the UN Secretariat's able ex-Price Waterhouse executive, Joseph Connor — Mr Annan's "quiet revolution" goes little further than institutional tinkering. Still more depressingly, some of his main proposals — such as an "integrated development assistance framework", or unified UN offices at country level — have already been tried, in the "restructuring exercise" of 1977. They failed then to make the UN more effective, for reasons that still obtain.

Since the late 1940s, reforms have washed the UN as regularly as high tides — only to pile yet more debris onto its crowded beach. This is because each reform, guided by an obsession with "co-ordination", succeeded only in further complicating the bureaucratic machinery. UN organisations remain as "fragmented, duplicative, rigid, in some areas ineffective, in others superfluous" as Mr Annan complains. But the answer is not co-ordination. The UN is not a unified system and, apart from humanitarian emergencies where Mr Annan's co-ordinating zeal mysteriously falters, it is wasted effort to try to force it to act like one.

Because Mr Annan, who should know better, appears to share this misguided obsession, he has missed a valuable opportunity to strike a genuinely modern note. The UN needs to develop a culture of excellence in order to prosper in a competitive world. Mr Annan is on the right track in demanding that UN programmes should be judged by what they actually accomplish — something that is, and should not be, a novelty. But he seems not to recognise that the considerable autonomy enjoyed by its

component organisations should be seen as an asset, freeing the best of them to innovate.

If the UN is to meet the demands of 21st-century global management, it faces a colossal task of adaptation. Even in its role as a forum to safeguard peace and the rule of law, act as a clearing-house for ideas and expand "the elements of common ground" between nations, the UN has a gap to bridge between the fossilised rhetoric of its debates and the pragmatic incrementalism of the world outside. It needs to recognise the utility of sub-universal approaches to problems, and to work with wider constituencies.

When it comes to the "practical" mandates which consume most UN funds, its managers must learn the language of competition. In a world where the UN has long ceased to be a monopoly global provider, its various units will attract funds and political support only for indispensable functions, and only when they do things better than other bodies — inside and outside government.

The pity is that Mr Annan is aware of all this. He understands the important distinction between mere administrative efficiency — which could mean no more than a leaner version of what the UN has been doing for decades — and more effective provision of services that are genuinely in demand. He accepts that modern policymaking operates in a context that "puts a premium on agility and flexibility". He talks about focusing the UN on "those activities that it does better than others" — although he has not suggested shedding even the most obviously "superfluous" UN baggage. He wants to put the UN more in touch with business, voluntary agencies and other actors. But he also wants to do all this without making waves.

Western governments must take up the baton where Mr Annan has dropped it. They should learn from the Danes, who are already putting into practice genuinely radical ideas. It is no good waiting for the US, hobbled as it is by the prejudices of an exceptionally uninformed Congress. Mr Annan's heart may be in the right place. But the lesson of this week is that nothing will come of good intentions unless he finds forceful and influential allies.

AN AGE-OLD PROBLEM

The universal state pension should not be immune from reform

Pensions are as unrewarding for politicians as they can be to elderly people in retirement. Action taken now will not be appreciated for 20, 30 or 40 years, certainly too far in the future for today's politicians to be thanked. Yet any extra cost in the meantime is borne by taxpayers, employees and employers, who may not be grateful to be forced to save. So it is encouraging that the Government is turning its mind to such a problem.

In announcing their review of pensions, ministers are emphasising the one possibly vote-winning aspect of their plans. They want to find ways to ensure that a smaller proportion of pension contributions is eaten up in charges. Value for money, along with flexibility, affordability and security, is critical for potential pension-holders. The lack of it has deterred millions of employees from providing for their own retirement.

Even though Britain has more second pensions than any other European country, still 40 per cent of adults of working age plan to rely on state provision alone. Some, such as housewives, carers and the unemployed, have had nothing to contribute to a second pension. But there is a large tranche of low-paid workers who find that nearly all their payments would be eaten up by costs.

Labour's plans for "stakeholder" pensions address the cost issue quite effectively. If employers or friendly societies or trade unions banded together to offer a pension to a large group of employees, they would have lower marketing and administrative costs than personalised pensions, and they might be able to reduce regulatory costs too if they could win blanket approval for their product from the relevant authorities.

Moreover, they would be able to exert more competitive pressure on the investing

institutions than any individual could. At the moment someone in a personal pension, once signed up, is in no position to exercise any continuing pressure on costs. But a stakeholder scheme, like an occupational scheme, can threaten to move its entire business to another fund manager if it believes that charges are too high.

More problematic are Labour's plans for a "citizenship" pension, aimed at those who spend their lives caring for children or elderly dependants. Should their husbands be allowed to pay into a pension for them, or would that benefit only rich housewives? Should they earn a credit for their unpaid work, to be put into a pension? That reward their contribution to the economy, but could be expensive for the taxpayer.

The question that Labour has not publicly addressed is that of the basic state pension. As pensioners become richer and live longer, the argument for paying the same rate to everybody has become ever thinner. The Tories recognised this before the election, and suffered for their sense. Labour attacked their "Basic Pension Plus" scheme with a dishonesty unsurpassed in the campaign.

But the rationale behind it remains. For many people with a second pension, the state contribution is only a small proportion of their income in retirement. Yet it is a huge cost to the public purse: £30 billion a year currently, and set to rise. Labour's manifesto promised only to retain the "basic state pension". The critical word "universal" did not precede it. In other words, the Government could decide to means-test the pension some time in the future, thus concentrating help on those who need it most. Tony Blair promised to think the unthinkable on social security. This would be a good place to start.

SHARON THE SHARK

Humans are more of a threat to sharks than they are to humans

In 1975 *Jaws* set the hearts of its audiences thumping to its theme tune. A piscine serial killer had been born — and with it a host of ever more improbable sequences. Box offices enjoyed a feeding-frenzy, while the man-eating monster firmed through its films, hoovering up holidaymakers as it went.

Now research from the University of California suggests that the film-makers' facts are as false as their rubber fishes. Scientific experiments show that the great white shark is a fastidious eater. The peckish predator finds human snacks about as appetising as stale Ryvita. It prefers the fat-rich flesh of seals to bathing beach babes.

While we enjoy a mammalian complicity with the dolphin or whale, the shark is ostracised and misunderstood. The great white is one of the most mysterious creatures in the ocean. Survivor of more than 400 million years of evolution, it has eluded — or utterly ignored — human efforts to understand it. Imprisoned in an aquarium, it almost immediately dies. Some suspect that it may be one of the few creatures which we can never know. Yet, at the apex of the ocean food chain, it plays a vital role. Biologists suspect that the entire marine ecosystem would be unbalanced by its loss.

Big game fishers have pursued the great white towards the margins of extinction. Fortunately it has now been listed as an endangered species in South Africa and Australia. We have become more of a threat to this species than it is to us. Far more sharks are killed daily to supply fin soup to Chinese restaurants than people are attacked in a year.

Of course there are areas where surfers and divers run a real risk. A species such as the great white is known to "mouth" its prey before eating it: to catch it between its jaws to test it for palatability. Its serrated teeth are so sharp that even this is enough to sever tendons and bone. But technology is tackling this. The Protective Oceanic Device has recently been pioneered. It safeguards swimmers by encircling them with an electric field that even potentially lethal sharks appear unwilling to enter. Similar technology is being developed to fence off bathing beaches.

In the 19th century, Herman Melville saw the whale as a lethal leviathan. Now it is a Hollywood hero. Last year, children all over the world were sobbing at the plight of the poor imprisoned Willie. Now it is time for Sharon the Shark to take her starring role.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Changing climate on education

From Sir Claus Moser, FBA

Sir, I was glad that yesterday's leading article questioned the latest proposals emanating from Ofsted for grading teachers. My concern also relates to the wider issue.

One of the welcome aspects of the Government's education policies is a positive and encouraging attitude to the teaching profession. This has been evident in speeches by Mr Blair and Mr Blunkett and emerges in the Government's White Paper on schools. The promised establishment of a General Teaching Council, proposed by the National Commission on Education, is particularly good news.

None of this means tolerating poor teachers or teaching. But it does mean putting such inadequacies in proportion. The emphasis in public statements and policies needs to be on the majority of teachers who do an excellent job, often under difficult financial circumstances and who deserve encouragement and support.

Mr Chris Woodhead, Chief Inspector of Schools, is well known for his critical comments on teachers. I had hoped that with a change in governmental emphasis he too might begin to focus on the positive side of the profession. This does not seem to be the case: the heading of your report (July 16) on his latest proposals was "Woodhead orders inspectors to write tougher reports on teachers".

The approach as well as quality of the inspectorate is a cause for worry. Its future, as well as that of the teaching profession, merits government attention.

Yours sincerely,
CLAUS MOSER,
3 Regent's Park Terrace, NW1,
July 17.

From the Minister of State
at the Department for Education
and Employment

Sir, Your critics of our White Paper, *Excellence in Schools* (letters, July 14), come from different perspectives, but they all fail to acknowledge the real problems facing our schools today. The fact that some four in ten 11-year-olds are not able to reach the expected level in English or maths is a failure of the last Government, which both Lord Skidelsky and Katie Ivens supported. Its obsession with structural change in some schools led it to ignore the very real deficiencies of the rest.

It is odd that Lord Skidelsky attacks us for an "extension of state control" over schools, while Mrs Ivens maintains that we want to ensure that "little happens in schools except on the say-so of LEAs". Neither is the case. The model we present is one of targets — for which schools have the primary responsibility. However, it is not sufficient to assume that all schools will set sufficiently demanding targets. That is where both Ofsted inspections and the new local education authority (which no longer controls schools) come in. But, our guiding principle is that intervention is in inverse proportion to success, so we seek to tackle failure and mediocrity and not to interfere with good schools.

Dr Jean Lawrence wrongly fears that setting (grouping within subjects according to ability) will stigmatise children. Setting operates in many schools already, and it succeeds in recognising the differing strengths and weaknesses of young people. However, it is undoubtedly the case that poorly taught mixed ability classes have failed many children — and it is right to recognise that fact.

Our White Paper offers a systematic approach to educational standards, in which everyone has a clear role. For the first time in generations it offers all our young people the opportunity to succeed and to fulfil their potential. That is why it has been so widely welcomed.

Yours sincerely,
STEPHEN BYERS,
Department for Education and
Employment,
Sanctuary Buildings,
Great Smith Street, SW1,
July 15.

From Professor Ivor Goodson

Sir, Whilst Lord Skidelsky raises some excellent questions about expanding state control of education, he asks whether good education for all should not arise as a by-product of choice and competition. Apart from the fact that "by-products" might be a somewhat indirect route to national educational uplift, in general, choice and competition in the free market respond to the demands and commands of money — the more money, the more choices.

Since rich people tend to have more money than poor people, this strategy for providing good education for all seems a bit dodgy. Choice and competition might end up offering not good education for all, but good education for those with money and something different for the others.

The experiment in choice and competition was tried by the Tory Government. In the event it definitively failed to produce good education for all.

Yours sincerely,
IVOR GOODSON,
University of East Anglia,
School of Education and
Professional Development,
Norwich NR4 7TJ,
July 15.

Synod debate on homosexual priests

From the Bishop of Oxford

Sir, I must challenge the inference drawn in your front-page report today that the Archbishop of Canterbury "paved the way" at yesterday's meeting of the General Synod for the ordination of practising homosexuals as Church of England priests.

If the Lambeth Conference decides next year to set up a commission drawn from the worldwide Anglican Communion, it would be concerned with issues of human sexuality in general, including, for instance, polygamy and cohabitation as well as homosexuality.

There can be no presumption about whether it would make specific recommendations on a question such as the ordination of practising homosexuals or, if so, whether such recommendations would reaffirm or question the traditional mind and discipline of the Church.

Yours sincerely,
RICHARD OXON,
Diocesan Church House, Oxford,
July 15.

From Mr Robert Leach

Sir, I cannot agree that the Church of England General Synod has given a "boost for gay priests" — at least not intentionally.

The wording of Archbishop David Gerrard's motion, which led to the debate, said that a 1991 bishops' report on homosexuality was "not the last word on the subject". What I took him to mean by those words was simply that more could be added. The gay lobby took these words to mean that the conclusions of the 1991 report could be reversed.

Many of us in synod foresaw that this could happen. Mr Geoff Locke, leader of the synod's Evangelical

Group, and the Reverend Stephen Trott of the Catholic Group, each proposed amendments which would have removed this ambiguity.

The House of Bishops decided that it must control synodical statements on such matters. Rather than seek the necessary changes to synod rules, it decided on principle to block all amendments. This meant that the Archbishop of Canterbury voted against a commendation of his own words.

What should concern ordinary churchgoers is not that the policy on homosexuality has changed — it has not — but that we have a House of Bishops which plots against its own synod and lacks the wisdom to see how its actions will be interpreted.

Yours sincerely,
ROBERT LEACH
(Lay member, General Synod),
19 Chestnut Avenue, Epsom, Surrey,
July 16.

From the Reverend Tony Ward

Sir, For William Rees-Mogg to say that a clergyman enjoying "a love nest with a quiet woman in Woking... is no business of... his parishioners and bishop" (*Life, liberty and the hunt for happiness*, July 14) is comparable to suggesting that if an MP is selling military secrets to an enemy it is no business of the Prime Minister or electors. Either would constitute a betrayal of trust and a loss of integrity, and perpetuate the seductive but dangerous premise that the sin lies in being found out.

Yours sincerely,
TONY WARD,
St Andrew's Vicarage,
16 Duke Road, Gorleston,
Great Yarmouth, Norfolk,
July 15.

Flower arrangers close the cathedral

From the Dean of Ely

Sir, Last week Ely Cathedral hosted a spectacular flower festival, opened by Princess Margaret, which attracted over 20,000 visitors. It provided a splendid example of our partnership with the local community, as well as an opportunity to present the Christian Gospel through the festival theme "The Power and the Glory".

Lady Bannerman's statement (letter, July 16) that one of the cathedral clergy told her in conversation that the dean and chapter "own" the cathedral and have the right to close it to the public must not be taken out of context. Ely is a close partnership with the diocese, the county and our many visitors.

Throughout the festival daily worship continued with inspiring services in our glorious Lady Chapel. I am sorry that Lady Bannerman was not able to tour the cathedral on her visit, but with 400 flower arrangers working all over the building, some on high-level scaffolding, health and safety precautions forced us to close it to visitors during the final stages of the preparations. This is a rare occurrence and the dean and chapter regret any inconvenience caused.

Yours faithfully,
MICHAEL HIGGINS,
The Deanery,
The College, Ely, Cambridgeshire,
July 16.

From Mrs Catherine Bridges

Sir, Lady Bannerman objects to the closure of Ely Cathedral during the preparations for the recent flower festival. But during the festival this most glorious medieval place of worship was open to thousands of visitors who came to marvel at the spectacular

array of imaginative and colourful flower displays.

No doubt some just came to see the flowers without much thought of religious worship. But how wonderful that so many more people visited our city's glorious cathedral.

"Thank you" to all those who worked so hard to make the event such a success.

Yours faithfully,
CATHERINE BRIDGES,
61 Arundell, Ely, Cambridgeshire,
July 17.

From Dr David N. King

Sir, Lady Bannerman was understandably distressed to find Ely Cathedral closed for worship and prayer for five days owing to a flower festival. In comparison, I was fortunate that on my last visit about five years ago it was open. However, the atmosphere was little better as one aisle was converted into a cafe (which I understand is still there) and the entire building was filled with the sound of raucous laughter and chinking teacups.

Lady Bannerman wonders if she should have thrown the money changers out of the temple. I would suggest that a building whose northwestern turrets collapsed in the 14th century and still await replacement has perhaps ceased looking upwards to heaven and may hardly count as a temple. I have long hoped that the dean and chapter would restore these turrets and so recreate one of the finest west fronts in Gothic architecture. There would be few finer acts of restoration to mark the new millennium.

Yours faithfully,
DAVID KING,
14 Greenhaugh Way,
Braco, Dunblane, Perthshire.

Swimming pool bids

From the Chief Executive of the English Sports Council

Sir, Your leading article today, "Sporting amateurs", could give rise to the misconception that Mr Hamilton Bland, who is not and has never been a member of or adviser to this council's award panel, had some direct influence over Lottery Sports Fund decisions.

We have rigorous procedures for assessing Lottery Sports Fund applications and take advice from a wide range of people — including sports governing bodies, local authorities, our own internal advisers and independent experts — before making an award. In the case of swimming pools, the advice from the Amateur Swimming Association is taken into account, but is only one element in a robust, thorough selection process.

We are determined to continue to pursue these procedures to ensure

that public money is spent in the right way.

Yours etc,
DEREK CASEY, Chief Executive,
English Sports Council,
16 Upper Woburn Place, WC1,
July 14.

From Mr Nick Gillingham

Sir, The artwork illustrating your commendable investigation of Hamilton Bland's business dealings points out that he was my "former agent". It is true that he acted for me as an agent/manager before and during the 1992 Olympic Games in Barcelona. However, this was on an ad hoc basis, and no money passed to Mr Bland through either my sponsors or business associates.

Yours sincerely,
NICK GILLINGHAM (World 200m breaststroke champion, 1993),
8 Old Langley Hall,
Sutton Coldfield, Birmingham.

As old as you feel

From Mrs Peter Halliwell

Sir, I understood that middle-age (letter, July 12) was that period of life when parents and children caused equal amounts of worry.

Yours faithfully,
ROMY HALLIWELL,
2 Southend Close,
Hursley, Winchester, Hampshire,
July 15.

From Mr Harry Whitham

Sir, As a middle-aged 65-year-old, I believe the definition of middle-aged

given in *Chambers* dictionary — "between youth and old age, variously reckoned to suit the reckoner" — to be the most accurate.

Yours faithfully,
HARRY WHITHAM,
19 Woodkirk Avenue,
Tingley, Wakefield, West Yorkshire.
harry@whitham.demon.co.uk
July 12.

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046. e-mail to: letters@the-times.co.uk

Legislative role of House of Lords

From Professor Emeritus Leonard Tivey

Sir, Peter Riddell's call today for more constitutional discussion is very welcome. In particular, the remarks of Mr Robert Hazell (who ran the Constitution Unit in its two-year life) quoted by Mr Riddell about the reform of the House of Lords are much to the point.

Almost any reform of the Lords will strengthen its prestige and hence its political influence, and governments will have to respect its amendments. It is therefore necessary first (as Mr Hazell says) to consider what it should actually do in the process of legislation and in the scrutiny of governmental activities, before deciding on this chamber's composition and the future of hereditary peers (letters, July 15).

If the Commons devotes more time and resources to the examination of Bills at the committee stage, as it surely must, then there is a case for transferring some of the work of administrative scrutiny — of executive agencies, quangos and regulators, for example — to a reformed second chamber.

It is right to call attention to the defects of composition, in the old Labour and old Liberal manner, but at present the Lords provide the major under-used resource of the constitution, and debate about its role should take priority.

Yours faithfully,
LEONARD TIVEY
(Professor Emeritus of Political Science, University of Birmingham),
726 Shirley Road,
Hall Green, Birmingham,
July 15.

From Lord Kilbracken

Sir, As a Labour hereditary peer, I feel somewhat nonplussed after reading the letter from Lord Campbell of Alloway. If it is being proposed that Tory hereditaries should be abstaining from divisions, it follows that I should be doing likewise, since precisely the same principle is involved. However this hasn't been suggested.

If, on the other hand, it is the view that Tories should be extremely discrete and vote only if there is no risk whatever of bringing about a government defeat, they have a problem since they cannot be sure, apparently, how many Labour peers will stay on to vote, nor how many of their own party will be present and not abstaining.

As to Professor Cannon's letter, it is ludicrous to write of the amendment as indicating a decision to "block devolution legislation" when, as is shown by Lord Mackay of Ardrach, in the adjoining column, it would merely mean a minor change in the voting procedure at the referendums.

Yours faithfully,
JOHN KILBRACKEN,
House of Lords.

Pay as you learn

From Mr Tim Rawling

Sir, I was interested to read the proposal for a National Scholarship Fund paid for by the National Lottery (Dr Clayton's letter, July 16) — certainly an innovative idea. As a further suggestion, perhaps it could also award grants to fund the living expenses of poorer students throughout their time at university. We could call it the "Student Grant".

Yours faithfully,
TIM RAWLING,
Maxwell House, Maxwell Road,
Ilkley West, Yorkshire,
t.rawling@cheerful.com

Thames salmon

From Colonel A. H. N. Reade

Sir, The account of salmon returning to the Medway and other rivers (report, July 11) does not mention the remarkable work being carried out by the Thames Salmon Trust.

Over the past 11 years, with the aid of generous sponsorship, the Trust has built 21 salmon passes at locks on the Thames. The 22nd will be completed shortly, so giving fish a clear run from the tideway to the upper reaches of the river. The next stage is to build passes on the tributaries and to clear and improve the gravel beds so essential for spawning.

There is now a steady and gradually increasing number of fish annually returning up the Thames and every hope that eventually this great river will once again support a naturally self-sustaining stock.

I shall never catch a fresh-run Thames salmon but am confident that my grandson will.

Yours faithfully,
A. H. N. READE,
The Old Post House,
Ipsden, Wallingford, Oxfordshire,
July 12.

Course language

From Mrs Veronique Seligman

Sir, If Mr Des Taylor had to delete his expletives (report, July 12) for fear of offending a woman fishing on the same riverbank, he was fishing too close to her.

Yours sincerely,
VERONIQUE SELIGMAN
(As from the Test at Timsbury),
28 Cheyne Row, SW3,
July 13.

THE TIMES

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INSIDE SECTION

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BUSINESS EDITOR: Patience Wheatcroft

FRIDAY JULY 18 1997

Fine of £225,000 levied on firm by Imro

By Adam Jones

SOVEREIGN Unit Trust Managers has been ordered to pay more than £225,000 into customer funds and to compensate more than 3,000 investors by a City watchdog.

Sovereign, based in Bournemouth, has been fined £225,000 by the Investment Management Regulatory Organisation after a series of rule breaches over a seven-year period. The fine is one of the largest imposed by Imro. A total of 3,370 investors will share compensation of £120,000.

Sovereign delegated the running of three funds to another company and then charged two sets of management fees to the trusts themselves. The double-charging occurred between April 1988 and September 1995. Imro said Sovereign "failed to act with due skill, care and diligence" because for four of those years it "knew or should have known that three of its unit trusts incorrectly paid fees".

Sovereign was also found to have incorrectly priced eight unit trusts between February 1994 and August 1995. Imro blamed inadequate staff training and internal controls. Sovereign has had to pay compensation of £28,000 to 147 investors, and has paid £81,000 into the unit trusts.

Imro said Sovereign had also failed to "control its internal affairs in a reasonable manner" between June 1992 and March 1995.

Sovereign is owned by Teachers Assurance, set up by the National Union of Teachers in the last century. Teachers is nominally owned by a board of directors, although profits are put back into the company in a similar way to mutual building societies.

About half of Sovereign's customers are teachers and the NUT is a commission-earning representative. A Sovereign spokesman said the fine and compensation payments would be made from this year's and last year's profits, without having to raise charges.

Sovereign said it reported the problems itself in 1994. It said the average compensation per investor was £35 and added: "The company has taken positive action to strengthen staffing levels and expertise within its administration and control systems." All investors had been compensated by May 1996.

Since the problems were identified, Sovereign has carried out a thorough review of its accounting and administration procedures and has fully rectified the breaches, the company said.

M&S in £192m deal for 19 Littlewoods stores

By Sarah Cunningham

MARKS & SPENCER is to buy 19 of Littlewoods' largest high street stores for £192.5 million in cash as part of a huge 18 per cent expansion of its UK retail chain.

Up to 1,800 Littlewoods staff, mostly part-timers, could lose their jobs because M&S has given no guarantees that they will be re-employed.

M&S expects the Littlewoods stores, many of which are next door or very near to existing branches, to be in profit within three years. Sir Richard Greenbury, chairman, called the acquisition an "outstanding opportunity".

The stores will give M&S at least an extra 600,000 sq ft of selling space, in addition to the 1.4 million sq ft planned for the next three years.

Littlewoods, which recently abandoned plans to sell its entire 135-store high street chain after failing to agree terms with Kingfisher, said that the stores are being sold at a "substantial premium to book value", believed to be about £82 million.

Keith Oates, deputy chairman of M&S, said an initial offer for the 19 stores had been made in the spring, when the chain was first put on the market. The offer was revived when the attempt to sell the whole operation failed.

Subject to shareholder approval for the deal, fitting out is set to begin in February, and the stores should reopen as Marks & Spencer between May and September of next year. The stores are in Bath, Belfast, Bromley, Cardiff, Carlisle, Chester, Derby, Edinburgh, Ilford, Kingston, Leeds, London's Marble Arch, Dudley, Newcastle, Norwich, Peterborough, Shrewsbury, Watford and Worcester.

Where the newly acquired stores are next door to an existing M&S branch, they will be absorbed into the main store. Where they are near by or across the road, the company is likely to put individual departments such as food, menswear or household goods into the new space.

Sir Richard announced the



Sir Richard Greenbury, chairman of Marks & Spencer, described the acquisition as an "outstanding opportunity"

acquisition at the company's annual meeting. He also revealed that in the current year the company will not be making any donations to political parties — last year it contributed £40,000 to the Conservative Party.

Sir Richard told shareholders that in the first quarter of the current financial year clothing sales in the UK have increased nearly 10 per cent, led by a strong performance in women's wear. Home furnishings saw sales up 16 per cent.

Food sales in the same quarter, adjusted for Easter, were up 2.3 per cent, and in June and July are running at

3.5 per cent above last year. Deflation has run at 1.5 per cent during the period. Abroad, first-quarter sales in local currencies are 12 per cent higher but the strength of the pound could reduce profits by some £20 million a year.

The reduction in corporation tax announced in the Budget will improve UK after-tax profits by about £20 million. This will help to offset the effects, still being assessed, of the abolition of the Advance Corporation Tax credit recoverable by pension funds.

After the meeting Sir Richard said that he does not believe retailing is currently

experiencing a boom and will get tougher. "It is just that the good people are doing well."

James Ross, chairman of Littlewoods, said that the sale was the first step towards "revitalising the business and reconfiguring the property portfolio". The privately-owned company intends concentrating its retail business on smaller clothing stores.

It is to change the name of some stores to Berkerex and if the experiment is a success the Littlewoods name could disappear. About 100 stores should remain in the chain.

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James Ross: "revitalising"

NU to make e-mail libel payout

By Jason Nisse

NORWICH UNION, the insurance company, was ordered yesterday to pay £450,000 in damages and costs and issue an apology to a private healthcare group that it admitted libelling by electronic mail, or e-mail.

The settlement breaks new ground as it is the first time a company has received damages for being libelled by e-mail, and may have far-reaching implications for the use of the Internet.

The legal action — first reported in *The Times* — followed rumours about the financial viability of Western Provident Association (WPA), a non-profit-making group that operates in the £2 billion a year private health insurance market.

WPA discovered the rumours were being spread by staff at Norwich Union's health insurance arm, who had claimed the Department of Trade and Industry was investigating WPA and the group was close to breaching its solvency margins.

In the High Court yesterday Norwich Union admitted the rumours were false. It said in a statement: "Norwich Union deeply regret and sincerely apologise to WPA for the dissemination of the rumours. Norwich Union has made every effort to ensure that such unacceptable practices do not occur again."

David Sherborne, Norwich Union's counsel, said the insurer deeply regretted and sincerely apologised to WPA for the dissemination of the rumours. It had undertaken not to repeat the allegations.

Julian Stainton, WPA's chief executive, said he was delighted with the settlement. "People regard electronic mail as a transient medium in that the message disappears into the ether. The reality is that everything you type and send is recorded almost for all time and is available to be reassembled at a later date by the written or spoken word."

BUSINESS TODAY

STOCK MARKET INDICES		
FTSE 100	4949.0	(-15.2)
Yield	3.29%	
FTSE All share	2311.58	(-4.47)
Nikkei	20519.25	(+100.51)
New York		
Dow Jones	8049.57	(+10.89)
S&P Composite	935.82	(-0.77)

US RATE		
Federal Funds	5 1/4%	(5 1/4%)
Long Bond	10 1/2%	(10 1/2%)
Yield	6.47%	(6.48%)

LONDON MONEY		
3-mth Interbank	6 1/4%	(6 1/4%)
Life long gilt	114 1/2%	(114 1/2%)
Future (Sep)	114 1/2%	(114 1/2%)

STERLING		
New York	1.5748	(1.5787)
London		
\$	1.5713	(1.5756)
DM	2.9952	(3.0116)
FF	10.1210	(10.1720)
Sfr	115.08	(115.35)
Yen	194.01	(194.47)
£ Index	104.7	(105.2)

DOLLAR		
London		
DM	1.7915	(1.7915)
FF	6.0545	(6.0480)
Sfr	1.4810	(1.4750)
Yen	115.08	(115.35)
£ Index	104.7	(104.0)

NORTH SEA OIL		
Brent 15-day (Oct)	\$18.80	(\$18.30)

GOLD		
London close	\$320.85	(\$319.15)

* denotes midday trading price

Safety threat

Medical safety standards are under threat because of the European Union's move to harmonise the regulatory approval of new drugs, according to a new study.

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Food for thought

Shares in Sainsbury fell 3 per cent after the supermarket group, which floated on the stock market a year ago, reported current like-for-like sales growth of just 0.2 per cent. David Simons, chief executive, said that in the first eight weeks of this year food prices fell 1.4 per cent, while volume growth was 1.6 per cent. The shares closed 6p lower at 189 1/2p.

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Spottiswoode criticises aims of DTI's review

By Christine Buckley, INDUSTRIAL CORRESPONDENT

CLARE SPOTTISWOODE, the gas regulator, is on a collision course with the Government after criticising its plans to overhaul utility regulation, saying key consumer and environmental measures are unworkable.

Ms Spottiswoode said the Government's review would be unable to deliver its promises to cut prices for the poor and improve energy efficiency because increasing competition between gas, water and electricity companies meant that the market was taking control.

"Utilities are no longer the monopolistic organisations they used to be," she said. "Competition in the gas market has been more revolutionary than was envisaged. What the Government is proposing could have been done ten years ago. It

can't be done now." Department of Trade and Industry ministers are understood to be livid with Ms Spottiswoode.

Margaret Beckett, President of the Board of Trade, has put the issues of social obligations and the environment at the heart of the review of utility regulation that is intended to improve the balance between customers and shareholders.

Ms Spottiswoode does not believe it is possible to support measures such as helping poor people pay for their fuel or promising energy savings by exerting pressure on companies, such as Transco, the pipeline group, which are not directly connected with consumers. Nor does she think measures to enforce social obligations on companies in competitive markets are appropriate.

She said that when competition was introduced to the gas market, and it is now operating in three areas, no one envisaged it would necessarily lead to lower prices for all customers although the fact that it has is a bonus. She believes support for low-income families and for environmental measures, including energy saving, should come from direct government action rather than through the regulatory framework.

Ms Spottiswoode's comments highlight concerns within the utilities that the Government may try to implement its policies via the regulators rather than allow the regulatory regime to function more independently.

Commentary, page 27

Profit-taking pushes pound below DM3

THE pound fell below DM3.00 to close at DM2.9964 yesterday as profit-taking set in after its recent surge to a seven-year high (Alasdair Murray writes).

Rumours of Bank of England intervention fuelled a sell-off. Sterling's trade-weighted index declined by 0.7 to close at 104.7. The stock market also slipped back on profit-taking from Wednesday's new record high, the FTSE 100 closing down 15.2 points, at 4,949.

The Bank of England has expressed repeated concern about the high level of the pound. But Professor Charles Goodhart, one of the new members of its monetary policy committee, hinted in an interview yesterday that the Bank was still poised to raise interest rates and ruled out any major intervention on the foreign exchange.

Commentary, page 27

Cognac producers threaten action

FROM ADAM SAGE IN PARIS

INDEPENDENT cognac producers are set for a showdown with three of the world's biggest drinks groups, which they hold responsible for a "cognac lake" large enough to supply global demand for the next seven years. Producers of the French brandy blame Allied Domeq, Seagram and LVMH for stimulating massive over-production that has left their region in southwest France facing its deepest crisis in 300 years. Amid widespread resentment the 9,800 producers are

preparing to destroy almost a fifth of their lands in an attempt to stabilise falling prices.

Some farmers want to provoke a showdown with the three groups, which, with Rémy-Martin, the French firm, dominate the cognac market. They are threatening to refuse to sell their produce below a fixed price.

LVMH, the luxury goods group which is locked in a takeover battle with Guinness and GrandMet, owns Hennessy cognac. Seagram owns Martell and Allied Domeq owns Courvoisier. The Federation of Cognac

Producers Unions, an association of producers, says the arrival of the three groups in the region over the last decade has transformed what used to be a "fraternal" market.

The price of recent vintages has fallen to between £3,000 (£296) and £6,000 for 100 litres of cognac and many producers say they are no longer able to make a living. The region earned Fr9 billion last year, down from Fr10 billion in 1994, even though the volume of sales remains stable, according to the Federation. "The big merchants have done everything to get into

this position," said Sebastian Dathané, the federation's secretary. "They don't think in terms of the region but in terms of their global financial strategy. Decisions are taken in Paris, or New York but not here."

But M Dathané added: "We have to take our share of the blame because we have done nothing to stop this. Now we are having to take tough measures for the first time in 300 years to improve the balance of power between ourselves and the merchants."

Commentary, page 27

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Clare joins battle with Beckett



COMMENTARY
by our City Editor

Clare Spottiswoode has good reason to be wary of Margaret Beckett's review of utility regulation. Under the expert guidance of civil servants, it is only too likely to be used to turn nominally independent regulators into tools of departmental policy, regardless of whether those policies conflict with the regulator's other duties.

Back in 1994, when relatively new to the job, the gas regulator was subjected to a classic dirty tricks campaign, of a particularly rabid sexist kind. Her crime was to dare to refuse to put a levy on consumers' gas bills. Ms Spottiswoode reckons her job is to get bills down. If ministers want to put them up, they can levy a tax.

The issue was environmental responsibility, a typical good cause. The previous government, having pledged at the Rio summit to cut greenhouse gas emissions, passed the buck to an Energy Savings Trust to be funded in part by the gas regulator creaming off a surcharge on bills. Ministers were angry when the regulator said no. Labour MPs on the Environment Select Committee were particularly incensed.

This was the trigger for Richard Caborn, who then chaired the parallel Trade and Industry committee, to call for a review "to set out clearer guidelines on the duties, accountability, and responsibilities of unelected and unaccountable regulators" and review their relationship with

ministers. Mr Caborn is now a minister in John Prescott's colossal Department of Environment, Transport and the Regions.

Ministers have a duty to set policy priorities clearly, not to give regulators contradictory instructions that cannot be fulfilled. This becomes transparent when, as in water, the consumer watchdog wanted bills curbed but the environment watchdog wanted more investment.

Similar conflicts are built into the drive to competition. On average, competition should cut bills. But competition also stops monopolists forcing wealthier customers to subsidise poor ones. Utility monopolies used cross-subsidies extensively, allowing new competitors to offer big customers a better deal.

Competition in gas supply has been made relatively painless by cuts in the wholesale price of gas. Even so, Ms Spottiswoode had to impose harshly punitive price cuts on BG's Transco pipelines to stop prices for small and distant users from rising. Such a conflict will soon surface again in electricity. Ministers naturally do not like the idea that competition removes the monopolist's social responsibility because they are both good

things. What is more, responsibility for poor consumers will inevitably fall on taxpayers.

Environmental campaigners have pointed out that the cut in VAT on domestic fuel contradicts Tony Blair's promise of much more ambitious cuts in greenhouse gases. No wonder ministers fume at the gas regulator for raising the alarm on attempts to pass the buck to economic regulators. As in 1994, Ms Spottiswoode is right.

Littlewoods gets a goalless result

James Ross appears to be deciding his strategy for Littlewoods on the hoof. When he came from Cable & Wireless to the Merseyside middle, he said: "Let's sell the retail business and concentrate on leisure and home shopping." Then he found that nobody wanted to pay the £600 million

he wanted for the operation. He hired Barry Gibson from BAA, and was able to pull a rabbit out of the hat in the form of Keith Oates's desire to pay nearly £200 million for 19 of 135 Littlewoods stores that Mr Oates can then turn into Marks & Spencer outlets. A few sales and leasebacks and the odd property deal should give Mr Ross some more cash to play with. But one fears for the long-term prospects of his concept to attack the People's Friend reading market by rebranding the shop as Berkertex — the oft derided Littlewoods own brand.

As for home shopping, the expansion into direct mail through the Index Extra catalogue has been a good move, in spite of the appearances of the business on the BBC's *Watchdog* programme. But Mr Ross inherited this move and his attempts to buy Freemans from the ailing Sears have been held up by the MMC's summer break. If

Littlewoods does buy its ailing rival, it should press for a discount on the £370 million price tag to take account of the fact that Freemans has almost certainly deteriorated during the summer. But then Mr Ross risks losing the deal.

And then there is the pools operation. Sales have been laid waste by the National Lottery and there appears no let up, what with the midweek lottery, and the betting shops' 49ers game. The reaction of Littlewoods has been to slash costs — something it should have done years ago — and look at expanding overseas. But however hard Mr Ross pushes the pools it cannot be seen as a long-term growth business. Yet it has always thrown off a great deal of cash.

Where does that leave Littlewoods strategy? Not much clearer than when Mr Ross arrived. It still has three businesses and, according to Mr Ross, a structure that allows him to manage the group

without the Moores family sticking its oar in. But what is the ultimate game plan? Will Littlewoods remain private, be floated or be sold off piecemeal? Mr Ross believes the businesses have to be run to their best potential before any decision is made. But it is hard to work towards a goal if you do not know what the goal is in the first place.

Virgin on the ridiculous

Chris Smith, the Heritage Secretary, has said that he wants The Radio Authority to be more open and explain its decisions clearly. Well it would be a good idea to start with yesterday's waiving through of Capital Radio's purchase of Virgin Radio, one of its main competitors.

The authority's attitude to Virgin's ownership of a London FM licence has been faulted from the start. At the time there was a highly competitive fight for two FM licences. One went to Heart FM, on the sensible basis that it would give Capital a run for its money. The other went to Virgin, not because it was a strong competitor or because it offered

something significantly different, but because Virgin was struggling to make its national AM licence work. According to Richard Eyre, the outgoing boss of Capital, Virgin's problems were more to do with what it put out over the air than the franchises that it held.

Capital's solution is to buy Virgin so increasing its dominance over commercial radio. But the authority should not let it. It should promote competition. Surely a strong competitor — like France's NRJ — might like to take over Virgin's franchise and attack Capital on its home territory of chart music.

Hopefully the Office of Fair Trading will refer this deal to the Monopolies and Mergers Commission, which might then block it. Otherwise this could turn into another of The Radio Authority's foul-ups, on a par with the LBC debacle.

The cognac lake

AS this column pointed out yesterday, the price that Bernard Arnault is demanding to bring *déjà* to the relationship between his LVMH and Grand-Met/Guinness could well be a sticking point. Well it appears that George Bull and Tony Greener are wise to look this particular gift horse squarely in the mouth. A large part of what is on offer from M Arnault is a share of an increasingly deep cognac lake.

Static sales hit shares in Somerfield

BY SARAH CUNNINGHAM

SHARES in Somerfield fell 3 per cent yesterday after the supermarket group, which floated a year ago, reported current like-for-like sales growth of just 0.2 per cent.

David Simons, chief executive, said that in the first eight weeks of this year food prices fell 1.4 per cent, while volume growth was 1.6 per cent. The shares closed 6p lower at 189.1p.

In the year to April 26, the company's pre-tax profits rose from £92 million to £105.4 million. On a pro forma basis, pre-tax profits were £101.6 million. Like-for-like sales growth last year was 1.4 per cent, made up of 1.8 per cent inflation and 0.4 per cent volume decline.

Pro forma earnings were 26.6p a share (21.8p). The company will pay a final dividend of 6.8p, making a full-year total of 10.2p.

Earlier this week Somerfield sold 24 smaller stores to Spar at close to their book value of £2 million.

Somerfield, formerly known as Gateway, came to the market last year at 145p a share after twice lowering the

issue price during the run-up to flotation.

Stores trading as Somerfield saw like-for-like sales grow 4 per cent last year. Stores converted during the year enjoyed an average sales uplift of 14 per cent, while those still trading as Gateway saw sales drop 5.4 per cent. Food Giant, the discount stores, had an 8 per cent drop in like-for-like sales.

The net operating margin rose from 3.2 to 3.6 per cent.

A further 85 Gateways were converted last year to reach a total of 432 by the year end. Within the next two years, all stores will be operating under the Somerfield or Food Giant names.

Three new Somerfield stores opened during the year. Two trial convenience stores on Elf petrol station forecourts opened last year. The company is planning to open a further seven stores this year. Investment in sites, systems, conversions and refittings of early Somerfield stores will be between £130 million and £140 million this year.

Tempus, page 28

Stanley races to a record

BY DOMINIC WALSH

STANLEY LEISURE, the betting shop and casino group, shrugged off the "Dettori effect" to turn in profits before tax and exceptional up by more than one third, to a record £20.1 million. Turnover for the year to April 27 rose from £318.1 million to £406.8 million.

Frankie Dettori's unprecedented seven winners in a row at Ascot in September cost Stanley's £2.25 million. This was more than compensated for by acquisitions and otherwise buoyant racing trading.

The casino division had a difficult second half, which held back profits to £11 million, just 4.6 per cent ahead, though margins have improved in the current year.

The final dividend of 2.8p, due September 15, makes 4.0p for the year, up from 3.3p.

Tempus, page 28

Etam gives warning over losses

BY FRASER NELSON

ETAM, the troubled women's wear retailer, gave warning that it expects losses to increase in the first half after an anticipated recovery in demand in June failed to materialise.

The shares fell 27p to a six-year low of 102.1p, in spite of the company's assurances that the June figures were an aberration, and new data showing a 3 per cent increase in like-for-like sale over the past four weeks.

Lee Ginsberg, finance director, said: "June was disastrous for a number of specialist clothing people, and a lot of this was due to the weather. Although the good ones did really well, it was a difficult market for all of us."

Mr Ginsberg said Etam may seek funds from shareholders via a rights issue to cover the cost of giving its outlets a new look.

Antofagasta raising cash to develop mine

BY CARL MORTISHED

ANTOFAGASTA Holdings, the Chilean mining and industrial group, is raising £120 million from its shareholders to help finance the \$1.3 billion (£778.5 million) development of the Los Pelambres copper mine.

Antofagasta also announced the sale of a 40 per cent interest in the project to two Japanese consortia for \$256 million. Minera Los Pelambres, in the Chilean Andes, is believed to be the seventh largest copper mine in the

world with reserves estimated at 1.7 billion tonnes. Philip Adeane, managing director, said the copper project would transform the group. He said: "It will absolutely swamp it. It is going to be producing cash flows of over \$800 million."

Antofagasta is placing 29.2 million stock units at 415p. Mr Adeane said Japanese proceeds would fund the company's 60 per cent stake.

Tempus, page 28

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MICHAEL CLARK

...

ECONOMIC VIEW

ANATOLE KALETSKY



Shares to slide down 'slope of hope'

Markets have scaled the wall of worry and conditions favour a downturn

As I am about to spend my holiday, where I shall be safe from disgruntled readers' brickbats, I shall stray this week from the normal economic subjects into the dangerous territory of financial soothsaying that I usually reserve for the first column of each year.

Some of the forecasts that I made in January have as usual been wrong, while others have been broadly right. All the leading currencies have moved in the way expected, although the scale of the rise in sterling has exceeded the most bullish projections (and, I now believe, will continue to exceed them in the months ahead).

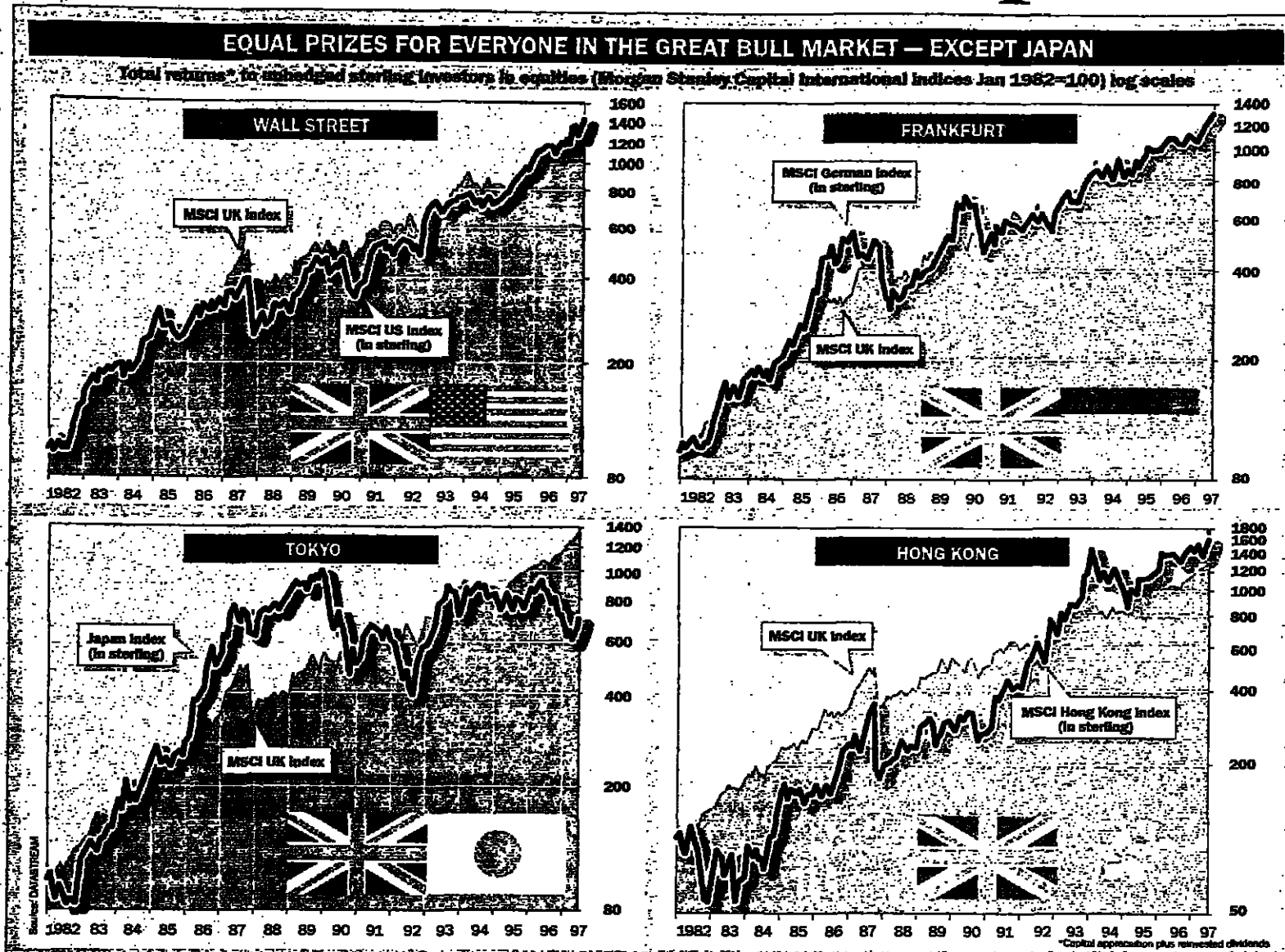
European interest rates, on the other hand, have completely confounded my forecasts. I assumed in January that investors would shun continental bond markets as they began to recognise that European monetary union would produce the weakest and most erratically managed currency in the world.

Instead, European savers have been shovelling money not only into German, French, Italian and Spanish bonds, but even into such far-fetched "convergence opportunities" as the bonds of the Slovenian Government, some of which now yield less than half a percentage point more than US Treasury obligations of the same date.

The main financial questions on people's minds this week, however, are not about currencies or bonds. They are about the records being set almost daily by stock markets around the world. Will this sensational performance continue? Or does it presage an equally dramatic collapse?

Nobody knows, but a number of pointers suggest that, for the first time since January 1995, the risks of staying in these markets may now be greater than the risks of missing out on the next leg up.

The first point to note is that the fate of all leading stock markets apart from Japan



depends on Wall Street. People who think that American shares are dangerous but that the risks can be avoided by investing in German or French shares are deluding themselves. If Wall Street crashes, so will every other market from Amsterdam to Hong Kong.

The extraordinary synchronicity of all equity markets, apart from Japan, is illustrated in the four charts. These show that British investors would have achieved the same returns in the long term whether they kept their money in London or sent it to New York, Frankfurt or Hong Kong. Experience also shows that short-term changes of direction, such as the 1987 crash and the 1995-97 boom, have generally occurred in all of these markets at the same time.

In speculating about the likely direction of world stock markets, therefore, we can

concentrate on Wall Street. For the past two years I have disagreed with most financial commentators about Wall Street. Since January 1995, I have argued in this column that Wall Street was far from overvalued and would reward investors with impressive gains.

My reasons for optimism were simple. The US economy was in for a long period of rapid growth with high profits and low inflation, similar to the 1950s and 1960s. American companies looked competitive and the dollar was at the start of a secular bull market. Share valuations looked cheap in 1995 and were still attractive last year — at least to an eye unclouded by the obsession of Wall Street actuaries with dividends.

The almost unanimous view that share prices would automatically start falling the moment that interest rates started to rise was unjustified either

by historical experience or by financial and economic theory. In short, the economic climate was about as good for equities as it could be. Investors, however, refused to believe in this "new era". They were equally sceptical about a return to the postwar golden age of full employment and stable prices. Instead, they were constantly seeking evidence of the "stagflation" and social struggles taken for granted from 1973 to 1987. Month after month, surveys of investment sentiment showed most professional fund managers reluctant to invest and many predicting a crash.

The combination of gloomy investors and benign economic conditions is the classic formula for a long bull market with no serious corrections. Because investors are so sceptical, they are constantly underinvested. Every time the

market falls back a little, the numerous investors who are kicking themselves for missing out on the last advance jump at the chance to get into the market. Instead of bailing out in panic, as the experts keep predicting, investors jump in with more money than ever as soon as they see the slightest sign of recovery. In traders' parlance, the market loves climbing "a wall of worry" and that is exactly what it has done since 1995.

By the start of this year, however, some of these propitious conditions began to change. With the Dow Jones industrial average at 6,600 (and the FTSE 100 index just above 4,000) equity prices in relation to GDP were still below their absolute records, but were near levels which had usually presaged big falls.

At the same time there were signs that professional investors were becoming more bullish — an alarming indicator,

given their consistent record of getting the markets wrong. For these reasons, among others, I suggested in January that 1997 might prove to be the first disappointing year for equity investors since 1994. The dreaded crash was still implausible, since the main stock markets were not yet seriously overvalued — unless the markets advanced considerably further in the first half of the year.

A reasonable, but unexciting, forecast for 1997 was that Wall Street would end about where it started after a year of directionless range-trading. I did, however, suggest an alternative scenario which could lead to the same destination, but by a more exciting route.

The route I proposed was a boom-bust cycle — a rapid gain of 20 per cent or so in the first half of the year, followed by an equally abrupt fall. We are halfway through the year and the rapid ascent has

occurred. The Dow and the FTSE are both up 21 per cent since December 31 and other European markets have moved roughly in parallel. The question now is whether we will see the second phase of this boom-bust cycle, producing the first serious decline in equity prices since 1990.

My suspicion, for what it is worth, is that the conditions for such a serious setback may finally be in place. Share prices in relation to GDP are still below the peaks hit in late 1969 and 1972, but are higher than they have ever been apart from those two years. Investor sentiment, meanwhile, seems to be shifting.

After climbing the wall of worry for more than two years, the market finally seems to be getting complacent. The scope for big profit gains, either from above-trend economic growth or from expanding margins, is more or less exhausted. The technology, restructuring and globalisation stories have all been hyped *ad nauseam*. The professional investors who have been unremittingly bullish throughout the bull market are finally becoming more relaxed.

The latest Merrill Lynch-Gallup survey of US investment managers, responsible for \$1,600 billion of funds between them, shows bulls outnumbering bears by a margin of 30 per cent — the highest such reading since February 1996. British, European and Japanese managers are also less sceptical than they have been at any time since early 1995.

The reason is not hard to understand. In March, the market suffered a 10 per cent swoon and numerous pundits predicted (as usual) that this was "the Big One". But prices rebounded even faster than they had fallen. Instead of the widely predicted panic sales by retail investors, the March setback inspired a buying panic by professional fund managers. As prices have soared through new records almost daily, many of Wall Street's most prominent sceptics have been forced to reconsider their bearish positions and to start admitting that the hopes of a "new era" may after all be justified.

To return to the traders' evocative jargon, the market may finally have climbed to the top of the wall of worry. If so, then investors should prepare for the next phase of this year's exciting journey — a slide down the "slope of hope".

Irish punt soars too high for its own good

Its strength could jeopardise its prospects in EMU and the options are limited, says Eileen McCabe

THE famed 'Doherty & Nesbitt' school of economics, named after the Dublin bull much frequented by the city's economists, is decrying the attention-grabbing antics of the Irish currency.

"It's like a medallion man, strutting his stuff all over the place," said one commentator, who added that if the punt did not quieten down, it could get itself kicked out of its favourite hunting ground — the exclusive club of serious EMU contenders. Over the past week, the punt has threatened to do what most analysts

thought was virtually impossible just four years ago. It has come close to breaking the very wide band limits set down for the exchange-rate mechanism (ERM) in August 1993 after the European currency crisis.

Then, the original 2.25 per cent fluctuation band in the grid was replaced by a 15 per cent band, which its architects hoped was so wide that it would ensure a smooth run-in to the introduction of the euro. But earlier this week, the punt was pushed up to almost 13 per cent above the grid's weakest currency, the French

franc. Under ERM rules, if the punt breaches the 15 per cent limit, then Ireland's Central Bank must intervene to try to bring the currency down. It could also opt for a revaluation within the grid.

The embarrassment of the Irish authorities over the punt's antics within the ERM is compounded by the fact that its upward surge is entirely due to the recent strength of

sterling. This highlights once again the fundamental problem of a currency with ambitions to be a founding member of EMU, but which is inextricably linked in the minds of many market players with non-ERM sterling.

The markets, as usual, are half right. For most of its history, Ireland has played the role of being little more than a satellite of the British econ-

omy. Even after the widespread reforms of the 1960s, some 65 per cent of all of the republic's external trade was with Britain.

But in the past decade, all has changed. The recipient of massive US investment capital, Ireland has reduced the proportion of its trade with Britain by half. Now just 35 per cent goes to Britain and 65 per cent to the rest of the

world. Ironically, Ireland is one of the few European countries that meets all the other criteria set down by the Maastricht treaty for monetary union.

For the moment that is of little comfort to the Irish authorities, whose room for manoeuvre is limited. They could revalue the punt within the grid so that its current central parity rate against the mark of DM2.41 is closer to its current market rate of just below DM2.70. However, many economists say such a move could prove disastrous over the longer term. They

argue that sterling's recent gains are a temporary phenomenon and a reversal is on the horizon. This camp also argues that a revaluation within the ERM grid now could, in the event of a downturn in sterling, leave the Irish pound marooned at a high rate within the ERM and against the currency of Britain, its biggest trading partner.

Even worse, they point out, this scenario could lead to Ireland being locked permanently into the single currency at an uncompetitive rate since the Maastricht treaty expressly prohibits devaluation of euro contenders in the two years before the launch of the single currency in 1999. Typically, it appears the Irish authorities have decided to opt for the old policy of "wait and see what happens to sterling".

Very fair shares

DOWN in Basingstoke they are a generous lot, I see. Henry Casley, who stepped down as chief executive of Southern Electric last September, was able to take away 21,062 shares in the group, worth more than £70,000. These were due under the long-term incentive plan, which was not supposed to pay out until September 1999. As Casley is now a non-executive, he is not actually entitled to them, but what are rules for, anyway? And now he has joined the remuneration committee he can

at least make sure this sort of thing does not happen again.

THE increasingly eccentric Michael Hardern, the freelance butler who would like to run the Nationwide, has set his heart on another building society as well. Clad in a yellow hooded towel and robe and leather slippers — Hardern has been taking an experimental approach to his apparel of late — he marched into a branch of the Britannia in Kingsway, London, and up to a picture of John Heaps, the chief executive, which hangs on the wall above a message emphasising the building society's commitment to mutualism. He requested that staff ring Heaps and ask how much he wanted for the society. Hardern then invited the tellers to work for him once he is running the Nationwide. He was treated with great courtesy even though, as my informant points out, he is not actually a member of the Britannia.



"I don't like the sound of this"



was there yesterday. It was like one of those films set the day after the end of the world. There are no trains left and no track, but British Railways Board cannot legally be put down except by Act of Parliament, and the Government has other priorities. So seven floors are still occupied, if only just. A few people wander to and fro, doing I know not what. John Welby, the chairman, is guaranteed a chauffeur-driven Jag and a salary, £270,000 last year, until 1999 and free rail travel for life. The canteen still offers soup for 25p and cappuccino pudding for 30p. Life goes on.

Pitch battle

THE invites are going out for this year's Reuters rugby sevens at Rich-

mond Athletic Ground on September 28, and 32 teams are again required from City firms. This year marks the tournament's quarter century, and the 25th year, too, that it has been organised by Keith Sheppard, with Hoare & Co until 1988.

Reuters is sponsoring the event, which attracts a couple of thousand spectators, for the third year. Sheppard wants to establish contact with members of the original Lloyds Bank team that first won the event in 1973, so any of them reading this is especially welcome. Try to get along — it is worth it not least for the long-running and in no way friendly rivalry between bond traders Cantor Fitzgerald and Intercontinental. The past couple of years they have missed meeting each other on the pitch, and deprived spectators and the paramedics in attendance of a treat.

Frost, sun, rain

TO THE Thames, and the sailing barge Cabby, property of Ronnie Frost's Hays. I had never made the link between the Hays Galleria on the south bank of the Thames and this services company which in fact used to own it, but there is still the odd Hays warehouse on the Thames. The barge, Hays property since time immemorial and a veteran of Dunkirk, is normally rented out, but every year Ronnie takes a couple of parties, of analysts and fund managers, down the Thames on consecutive days. This year, in an inversion of

MARTIN WALLER



Hays: the countdown to retirement

BUSINESS LETTERS

Pensioners well served

From Mr Geoffrey Wilson Sir, As an actuary whose clients have been using simple tracker pensions for years, I welcome the Office of Fair Trading's advocacy of these. But I consider the criticism of the pensions industry (July 16) to be excessive and often misguided.

The UK has the best record in Europe (and probably the world) in providing secure, funded, pensions for more and more of its citizens. Those retiring today are immeasurably better-pensioned than their predecessors, and those retiring in future years will do even better. We have no demographic time-bomb, unlike our European Union partners. Of course all is not perfect, but our pensions industry, together with government, caring employers, and prudent employees, deserves credit, not easy jibes.

The biggest problem is providing sensible pension advice — how much to contribute, which plan to choose. In a leader some years ago, *The Times* came up with the solution: plan members should be able to authorise payment from their fund for pensions advice, and not have advice fees bundled up with sales, investment and other charges. This change, and other sensible simplifications, can be introduced gradually. I am suspicious of ideas for a radical restructuring of the pensions industry, which could too easily throw out the baby with the bathwater.

Lastly, I fear the day when all pension funds are trackers — the stock market will then be at the mercy of rogues and City slickers. We need a number of independent fund managers willing to accept the responsibilities of ownership of company shares — but to survive, they need to earn our respect. Yours faithfully, GEOFFREY WILSON, Baldhorns Park, Ruspur, West Sussex.

Tracking for safety

From Mr John D. Harsant Sir, The statistics compiled by those who measure the performance of pension fund managers have demonstrated for some years the validity of index tracking. Not only does index tracking remove much of the cost of investment, it also removes the greatest risk — the judgment of the investment manager.

Thus, it is now possible, through the tracker funds, to invest in the economy as opposed to individual companies. It is plainly obvious that in the past such investment has been of greater advantage than in fixed interest. I hold that for real safety investment should be in the economy, not in fixed-interest securities.

A potential problem would arise if tracker funds were to take such a large share of the market that normal dealing would be reduced to such a level as to damage the normal pricing process. Yours faithfully, JOHN D. HARSANT, Harsant Services Limited, 321 Penbury Road, Heston, Middlesex.

Letters to the Business section of *The Times* can be sent by fax on 0171-782 5112.

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THE TIMES FRIDAY JULY 18 1997

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The Writing

Furious assault on the senses

It is natural that Gerald Barry, their country's most prominent composer, should be asked to write a work for the Irish Chamber Orchestra. Yet, I couldn't help wondering, as they scraped and scratched their way through *La Jalousie racineuse* in their Wignmore Hall concert on Tuesday night, whether the players didn't just occasionally wish they had landed something more grateful to play.

The piece takes the form of a grotesque parody of two Chopin waltzes: Op 64 No 2 in C sharp minor and Op 69 No 1 in F minor. First and second violins and violas are divided into 12 parts, playing an identifiable Chopin strand in unison, but at a semitone's distance from the instrument above and below. The opening is marked *double fortissimo* and "furious-ly", and there is no let-up in the assault on the senses.

The resulting cacophony might have gone down well at an undergraduate concert in the Seventies, but the joke, if that is what it is, wears thin rather sooner than the 100-odd bars (plus repeats) over which it is extended.

Rarely has Mendelssohn seemed such balm to the ears. The String Symphony No 8 in D was given an anything but sentimental

CONCERTS

Irish Chamber Orchestra
Wignmore Hall

performance, but it calmed frayed nerves. Under Florinza Hunt's direction the orchestra produces a generous tone, and even if ensemble is less than razor-sharp, it is well co-ordinated. Internal balances are nicely judged, dialogues emerge with clarity and the counterpoint is muscular.

Much the same virtues were evident in Haydn's Violin Concerto in C, where the soloist was the experienced Franco Gulli. However, an 18-piece orchestra is a little overwhelming in the Wignmore Hall and textures were rather muddier than is ideal.

In Bach's Double Concerto in D Minor—in which Hunt and Gulli were the soloists—the problem was accentuated, and one felt the need for more stylish phrasing. A vigorous sweep is all very well, but one begins to long for a dancing lightness that is impossible if all the beats of the bar have the same emphasis.

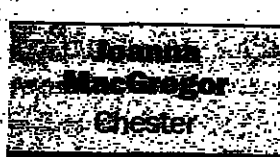
BARRY MILLINGTON

Sensation-seeker

It would have been useful if, in place of a few of the many words spoken about the music in Joanna MacGregor's recital, someone had played a 1940s hit called *Laura*. Any member of the audience who couldn't remember it felt at a disadvantage in attempting to come to terms with Stephen Pratt's latest piano piece, *The Song Within*.

Commissioned by the Chester Summer Music Festival to mark the composer's fiftieth birthday and dedicated to the festival's artist-in-residence, Joanna MacGregor, *The Song Within* is based on David Raskin's *Laura*. The song remains within, however, just peeping through in flashes, Pratt assures us. At the beginning, however, between the detached notes produced at the extremes of the keyboard, there is a gaping hole and nothing to peep through. If it had been in the next main section, a virtuoso pianist's kind of boogie-woogie, it would have been crushed beyond recognition under the heavy ostinato wheels. So it must have been in a later passage, which has room for lyrical phrases and offers more than a few of them.

Individual speculations of this kind might have been all wrong, but the exercise of



forming them did at least focus attention on every event in a many-sided piece. *The Song Within* is also most effectively written for the piano. The pianist confessed that she had been working on it since February, but the thrilling quality of the first performance in Chester Town Hall indicated, surely, that she considered the effort worthwhile.

Joanna MacGregor is nothing if not thrilling. Well, that does overstate the case: her interpretation of Nocturnes, the first movement of Ravel's *Miroirs* failed to capture the fitful, unpredictable motion of the piece. But where she took large-scale technical risks, as in *Une Barque sur l'océan* or *Alborada del Gracioso* in the same Ravel set, she secured the more immediate response. As for her treatment of Beethoven's *Waldstein Sonata*, it was a matter of intense rhythmic motivation, with an overall effect somewhere between the sensational and the spectacular.

GERALD LARNER

Isabel Carlisle on the Tate's tribute to the troubled 18th-century painter Francis Towne

Misfit finds his niche

There is a history of art that will never be written. It tells of the artists who failed to make an impact because they fell between one style and another, or who were important for their influence rather than for their own work.

Many of them were innovators who never quite pulled it off, but who a century or so on can be seen as missing pieces in a jigsaw puzzle. The 18th-century English watercolourist Francis Towne was one of these, and the Tate has made him the subject of an exhibition, the first in the Clore Gallery to deal with an artist other than Turner.

Towne was in many ways a failure. He was one of the first English artists to make the journey to Italy and paint out of doors, but unfortunately he did so in 1780-81, while the English were fighting the French and the flow of Grand Tourists who might have bought his views of Rome, Tivoli and Naples dried up. He was much better in watercolour than in oils, but when applying to become an Associate of the Royal Academy only oil paintings could be submitted. He was rejected ten times. He survived on the regular income that he made as a provincial drawing master, based in Exeter, but was desperate to be known as a landscape painter.

Towne's real problem was that, caught between Classicism and Romanticism, his paintings (the oils



Cascade in the Groves at Ambleside shows Francis Towne's interest in the changeability of light, bringing the sense of a specific moment in time

He was one of the first English artists to travel to Italy and paint out of doors

especially) lacked conviction. His style was based on the great classical painters Gaspard Poussin and Claude, but he visited Switzerland with Rousseau's Romantic ideas about the sublime in nature buzzing in his head. In painting the Alps and the Italian countryside not as settings for historical or mythological scenes, but as views in their own right, Towne was ahead of his time. However, his dogged insistence on distinguishing visually between a sketch and a finished work by inking the pencil lines of the sketch back on top of the watercolour reduces them to the appearance of illustrations from a painting-by-numbers kit.

This troubled misfit who never rose to be a star was also an innovator whose example made it possible for other artists, such as his contemporary Thomas Jones, to make of Towne's ideas what Towne never could. Towne's journey to Switzerland in 1781 to paint the Alps had no precedent, because very few artists had dared to copy those terrifying mountains before. Going over the Splügen Pass on August 29, Towne made at least nine drawings and then headed for the source of the River Arvion near Mont Blanc. The vertical watercolour that records the view of the tiny stream emerging from its cave of ice in the glacier at the bottom of the page, and the peak of Mont Blanc just visible behind huge mountain masses shaded in blues and greens at the top, is one of Towne's best.

Towne was also unique in his interest in the changeability of light. Not until Constable did another English artist paint the same place at different times of day. Three sketches Towne made of the Colosseum in the

autumn and winter of 1781 were each annotated with the stretch of hours they were made in. Although the chiaroscuro effect of shade and sun is there, the colour is so muted and the light so weak that there is barely a sensation of being in Italy. Towne was more successful at Ambleside in

1786, where he painted the mountain tops in strong sunlight and the valley in shadow, bringing the sense of a specific moment in time and the movement of sun and clouds to a static scene.

Towne did not have much success in securing commissions on the basis

of the sketches he brought back from the Continent. In one large finished watercolour, dated 1780, of *The Bay of Naples with Capri in the Distance*, the landscape looks parched and brown, lit by a setting sun. The reflective, melancholy mood might have appealed to Towne, the proto-

Romantic, but was not appropriate as a memento for Grand Tourists. Towne may never be rediscovered as a great artist, but his place is secure as an original one.

Francis Towne is at the Tate's Clore Gallery (0171-587 8000) until September 14, supported by Spink-Lester Pictures

READER OFFER THE TIMES

Exclusive private view at the Tate



Readers of *The Times* are invited to an exclusive party, on Tuesday, July 22, to celebrate the Tate Gallery's 100th birthday.

100
Tate Gallery Centenary 1897-2007

The entire gallery will be open and works on show include special centenary displays, the Turner collection and the current exhibition of Ellsworth Kelly's works. The party is from 6.30pm-8.30pm.

You will be able to see a selection of 100 works of special interest, two rooms of Victorian and Pre-Raphaelite paintings and Henry Tate's Gift, which tells the fascinating story of the gallery's foundation, with a display of works from the original collection. Among these originals you will see the beautiful oil painting *The Lady of Shalott* (above) by artist John William Waterhouse.

The current major exhibition at the Tate focuses on the work of the leading American painter Ellsworth Kelly whose observations of the real world are transformed into abstract works of the greatest possible purity of colour, line and form.

To book your birthday invitation, call First Call on 0171-420 0000. Tickets, which cost £16.75 per person, include canapés and two glasses of wine.

CHANGING TIMES

Deft rather than dumb

RADIO

Radio 4 is right to contemplate change, says Peter Barnard

Just in case there were any doubts that the planned upheaval at Radio 4 is as touchy a subject inside Broadcasting House as outside, Laurie Taylor of *The Afternoon Shift* removed them during Monday's edition. "Thank you for adding a little youth to a typically senile *Afternoon Shift*," he told a student during the show. Ho ho.

James Boyle, Controller of Radio 4, is expected to announce the changes at the end of this month, shortly after the BBC governors have had a look at the plans next Thursday. Boyle is said to be incandescent over the leaks to the press this week and presenters whose shows are threatened have put Boyle's secretary under siege.

But is this a revolution or mere evolution? Methinks the latter. Either rumours that the changes represent the dumbing down of Radio 4 are exaggerated, or Boyle has gone mad. It would be extremely out of character for him to make Radio 4 a personality network, as is being suggested, for when he ran BBC Scotland he was criticised for getting rid of personalities in favour of more heavyweight programming.

To make the Radio 4 day chronologically, the first threat is to *Yesterday in Parliament*, known as Yip. This

programme ought to have been dumped years ago. The BBC has a Charter obligation to report the proceedings of Parliament but that obligation is met by *Today in Parliament*. The demands by MPs in the Commons on Monday that the Speaker, Betty Boothroyd, complain to the BBC constituted quite the most absurd spectacle reported by, er, *Yesterday in Parliament* in years.

The MP who claimed that "well over a million" people listen to Yip was standing a statistic on its head: the truth is that half the *Today* audience of two million switches off when Yip starts, and with good reason.

Yet the biggest battle over Yip is going on at Broadcasting House. *The Today* programme wants to run uninterrupted until 9am but champions of Yip are fighting this expansionism. They deserve to lose, for 9am is the logical junction for *Today* (and

would let later programmes inherit a larger audience).

Talking of which, the 9.05am slot is the next hot potato. *Start the Week* is likely to stop being a talking shop for people plugging books, plays etc — the programme has more peddlers than the Tour de France — and become an interview with a single personality, though I am assured it will retain its "gravitas". The Tuesday phone-in will continue. *Midweek* on Wednesdays will probably be dropped, *The Moral Maze* (Thursday) is likely to become an evening programme.

Most of the speculation concerning key lunchtime shows can be discounted. *You and Yours* and *Money Box Live* were under review at one stage, but they are almost certain to survive. Each of these programmes attracts about 600,000 listeners and their consumer orientation has proved very successful.

Of course overall tone matters more than specific programmes and listeners should beware of treating modernisation, which Radio 4 needs, as if it was populism, which it certainly does not need. Next month *Round Britain Quiz* returns to the network at Boyle's insistence. That would be a very strange signal from a man who is supposedly taking Radio 4 downmarket.

HMV classical selection



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topdogformusic

Lordly mayor of a town called malice

There are certain things that are just taken for granted in the music industry — that the time spent waiting in the guest list queue to get into the Brixton Academy will be exactly equal to the length of the headlining band's set, for example, or that loads of also-ran bands on the Creation label will mysteriously get lots of airplay and column inches around the time of a new Oasis release, or that Paul Weller is, simply, a Great Geezer.

Why, he's mates with both Paul McCartney and Noel Gallagher, he shuns award ceremonies because they're horrible corporate exercises in crawling and backstabbing, and he plays real instruments with real soul and real sweat pouring from his face.

As most industry-types have ears made of sawdust, they have to measure an artist's worth with something visible and easy to understand — and the currency of genius is currently sweat. This is why Van Morrison and Neil Young are still revered as earth-bound gods: three songs into a gig and they look like they've been diving for sponges in the Mediterranean.

Plus, Weller's a "survivor". This doesn't mean he's been through wars, struggled on income support for five years, or overcome a life-threatening disease. It simply means he made a couple of records that didn't sell, and then came back with one that won a Brit Award.

But the thing is, as things often

That Paul Weller — smashing bloke, right? Man of the people, yeah? First gent of rock or what? Well, no, not really

are, that little of this myth-making is true. Weller does not make "real soul". His new album, the pretentiously titled *Heavy Soul*, is about as heavy and soulful as a damp mouse. Lyrics like "So grab a piece of air/Try an' make it sing/Try and be who you can/It's the real, real thing" don't ring with the sound of a heart swollen or indeed of a brain hard at work. On top of all this, Weller wears shoes without socks and jumpers without a shirt, the uniform of ice-cream van operators. And, surely, "elder statesmen of rock" shouldn't look like they're about to ask if you want "a squirt of raspberry on that?"

But, most importantly, Weller is not really a Great Geezer. At best, he's a silly tit. In a recent *NME* interview, Noel Gallagher told the amusing story of a night spent hanging out with Weller. "He was trying to convince me how mad for it he was, even though he's getting on a bit. He was going, 'I'm [big swear word] mad for it, me.' I said I know you are, Paul, now chill. 'I'm [big swear word] mad for it,' he says, takes his shirt off and throws it into this big open fire! He's jumping around to a

shouting: 'I'm mad for it, me!' [left him in the garden with no top on and a big bottle of wine in his hand, shouting 'Wella! Wella! Wella!'] at the top of his voice."

Eventually, Gallagher said, he had to lean out of his bedroom window at eight in the morning and shout "Shut up! Go to bed, old man!"

When asked, in a recent interview, whether this was the case, his Wildean riposte was: "Well, yeah. I wouldn't surround myself with nomen, would I?" As a result, there is little curb on his pique, and he has a slightly unsavoury habit of verbally threatening journalists who write anything negative about him. David Quantick, journalist for *Q* and *Select* magazines, wrote a piece in 1995 about artists who have

changed their image over the course of their careers. He mentioned Duran Duran, George Michael and Weller in the piece, which was wryly humorous but not enormously disparaging.

"I'm the only journalist in Britain who actually liked Weller's work with the Style Council," Quantick explains. "So I was rather surprised when I got a phone call from him, saying that we should 'meet and talk'. I suggested we meet in the George pub, which has an excellent range of bar snacks. Weller snapped: 'Nah, it should be somewhere outside, if you know what I mean. Regent's Park, or something.'"

"I told him that if he wanted a fight, I wasn't going to fight with him. He concluded this pleasant phone call by promising that, if I wrote anything else about him, he'd 'come round your house and knock your [big swear word] block off'." Stuart Bailie of *NME* and at least one other journalist have received similar calls after writing disparaging pieces.

If Weller were, say, Billy Corgan of the Smashing Pumpkins — a band that has had more bad reviews than it has recorded endless, moribund solos — one could understand his bitterness about negative press. But as Weller's press-kit is as thick as a brick, and twice as heavy on phrases like "He is God", then this "paranoia" is hard to understand. Still, at least one of the phrases employed to describe him is true — Weller is still burning. In a spectacularly unpleasant way.



CAITLIN MORAN



Why would Paul Weller threaten to duff up the only music critic who liked the Style Council?

POP ALBUMS: From now on, the name Roni Size will be the one to drop

Drum and basically great

RONI SIZE/REPRAZENT *Newforms* (Talkin' Loud 534 933; two discs £18.49)

ALL specialist genres start out as a no-go zone for the uncertain or uncommitted listener, until somebody does something exceptional enough to convert music with a minority appeal into the sound of the moment. If there is a record that can do for drum and bass what James Brown did for funk or Prodigy are doing for techno, then it is *Newforms*, an album of inspirational brilliance that lives up to its rather brazen title.

Producer and DJ Roni Size teamed up with producer Krust to form the nucleus of Bristol-based collective Reprazent in 1992. The organisation now includes various DJs and an MC (rapper) as well as Bristolian soul singer Onaltee, who performs with fiery emotion on *Heroes* among many other tracks. There is also a telling guest contribution from American vocalist Bahamadia, who chops out an unbelievably sultry rap on the title track and whose presence would have been welcome on some of the other numbers, too.

Unlike Goldie's landmark album, *Timeless*, which was released two years ago amid much speculation that jungle music was about to "go overground", *Newforms* is a rhythmically ingenious and spectacularly well-crafted

record from start to finish that not only addresses its own streetwise constituency but also reaches out to embrace other musical strands including jazz, soul, funk and hip-hop. The result, on numbers such as *Destination*, with its spring and horn samples from an Everything But The Girl track, and the bustling, drop-dead groove of *New Forms* itself, is music that transcends the limitations of the genre and moves the listener into a different realm.

Shortlisted earlier this week for the Mercury Music Prize, this is an album that will be pleasantly expanding people's musical horizons for many months to come.

With its beautifully wrought, Byrds-influenced harmony vocals and defiantly old-fashioned chiming guitar

sound, it is one of those pop albums that functions in much the same way as a Hovis ad, conjuring images of a kinder, gentler past when traditional musical values held sway. "We're going over the country and into the highlands to look for a home," they sing on *Planets*, a typically winsome blend of romantic escapism.

The trouble is that thanks to the Britpop "revolution", there are now dozens of groups ploughing a similarly retro furrow, many of which have applied more energy and original thought to the formula than is in evidence here.

LEE SCRATCH PERRY *Arkology* (Island Jamaica CRNCD 0/524 379; three discs £19.99) A TREND-SETTER in so many ways, Jamaican reggae supreme Lee Scratch Perry was one of the first producers to use studio technology to forge sounds such as dub (the original drum and bass music) and to expand the role of producer into that of star in his own right.

Arkology is a compilation of his recordings, mostly of other acts, during the period 1975-79, when Perry owned his own Black Ark studio in Kingston. It boasts a handful of classic cuts, including Junior Murvin's *Police & Thieves*, Max Romeo's *War in a Babylon* and George Faith's *To Be a Lover* (Have Some Mercy), along with various rarities

and alternative takes. But none of Perry's work with Bob Marley and the Wailers is featured, nor is Susan Cadogan's *Hurt So Good*, one of the very few bona fide hits to come out of this period.

PRIMUS *Brown Album* (Interscope INTD-90126 £15.49)

OPERATING somewhere between the manic playfulness of the Red Hot Chili Peppers and the cranky obscurity of Frank Zappa, Primus continues to fall foul of the cultural divide between Britain and America. Top Ten regulars over there, they still sound confusingly eccentric to anyone who does not get the joke. "I got a gal wears her toenails long/Drives a red Barracuda, singing meatpucker songs," sings bassist Les Claypool on *Kalamazoo*, a jaunty shuffle that combines a nursery rhyme melody with a fearfully complicated guitar solo.

Militantly low-fi, yet somehow rather fussy in its execution, *Brown Album* has flashes of brilliance, frequently involving the razor-sharp instrumental interplay between Claypool, drummer Brain and guitarist Larry Lalande, and most notably during the passage at the end of *The Chastising of Renegade*. But it is likely to baffle all but the most committed fans.

DAVID SINCLAIR

Tunes of glory

WYNTON MARSALIS & THE LINCOLN CENTER JAZZ ORCHESTRA *Blood on the Fields* (Columbia CCK 57694)

GIVEN trumpeter/composer Wynton Marsalis's constant championing of "the tradition" in jazz and related music, it is no surprise to find him skillfully exploiting everything from spirituals to his own seductively lush brand of neo-air: swing in this three-CD study of slavery and survival.

His lyrics finely judged balancing of the colloquial and the formal, too, is not unexpected, given the assured eloquence with which he expresses his musical philosophy. What is really impressive, though, is the three-hour piece's overall cohesiveness, particularly in its recognition of the crucial role played by the



Wynton Marsalis centuries of struggle on three CDs

JAZZ ALBUMS

blues in its characters' spiritual development.

Singer Cassandra Wilson and a string of star soloists including James Carter, Wes Anderson and Marsalis himself are all tellingly featured and the whole more than lives up both to the reputation conferred on it by the Pulitzer Prize award and to Marsalis's own artistic aim for it: "To detail in music what I feel it takes to achieve soul: the willingness to address adversity with elegance."

STEVE LACY TWO, FIVE AND SIX *Blinks* (hat ART CD 2-6189) A RE-RELEASE of the acclaimed LPs of the same name, supplemented by two bonus tracks, this double CD catches American soprano player Steve Lacy and his long-serving cohorts (chief among them fellow saxophonist Steve Potts) in various combinations, live in Zurich in 1983.

Lacy dubbed his feverishly passionate music of the 1980s "poly-free", for its attempt to synthesise structure, improvisation and spontaneous interplay and, when in full flight, this is a gleefully unfettered band, rousing and adventurous but familiar enough with each other's playing to imbue the whole affair with infectious informality.

CHRIS PARKER



Wired for sound: Roni Size of Reprazent, whose brilliant *Newforms* is on the Mercury Music Prize shortlist

CDs reviewed in *The Times* can be ordered from the Times Music Shop on 0345 023498

TOP TEN ALBUMS

- (1) *The Fat of the Land*.....Prodigy (XL Recordings)
- (2) *Vanishing Point*.....Primal Scream (Creation)
- (3) *OK Computer*.....Radiohead (Parlophone)
- (4) *Spice*.....Spice Girls (Virgin)
- (5) *Heavy Soul*.....Paul Weller (Island)
- (6) *Best of Michael Jackson 5* (Polygram TV)
- (7) *Come Find Yourself... Fun Lovin' Criminals* (Chrysalis)
- (8) *Before the Rain*.....Eternal (EMI)
- (9) *Sheryl Crow*.....Sheryl Crow (A&M)
- (10) *Tragic Kingdom*.....No Doubt (Interscope)

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Alternative Nashville

NASHVILLE may be synonymous with country music, but it has a rhythm & blues heritage that stretches back to the early 1950s, when many black artists recorded for Ernie Young's Nashville-based Ekko and Nashville labels. *Well Dadda! Nashville Jam Blues* (Ace CDCHD 653) collects some prime examples of housing, piano and saxophone-led numbers recorded for the company, including *Happy Go Lucky* by Good Rockin' Sam Beasley and *Chicken Hearted Woman* by Clarence Samuels.

Such music remained unnoticed and unheard in this country, so the early British blues performers, as Cyril Davies, took their inspiration from the more mainstream blues artists — a fact reflected by a long-overdue tribute album to Davies, who died in 1964, just as the British blues boom started. *Knights of the Blues Table* (Viceroy CD5-HS42) includes contribu-

tions from Paul Jones, Georgie Fame, Jack Bruce and a chap called Mick Jagger, helping out on harp.

Davies would have been at home with the new wave of black American artists who have been inspired by the acoustic pre-war stylings of artists such as Robert Johnson. Indeed, on *Call Down the Thunder* (Red House RHRC 89), guitarist Guy Davis covers Johnson's *When You Got a Good Friend* as well as later-day songster Manoe Lipcomb's *Run Sinner Run*.

There's also a clutch of well-honed originals in which Davis shows his proficiency on both the six and 12-string guitar and fulfils his promise in the sleeve notes of "making the same old thing sound new".

JOHN CLARKE

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ملء امه الاصل

As Huey Lewis once said, it's hip to be square

If the stuff on Radio 2 is so old-fashioned, how come it's clogging up the charts? Alan Jackson unravels a paradox

No matter how well informed and cutting-edge a pop fan you believe yourself to be, there will always be the odd mystery to trouble your mind in those moments between wakefulness and sleep. Who, for example, is the Mercury Music Prize-nominated Rupi Sias, let alone his dance collective, Reprazent? (David Sinclair knows — see album reviews on page 34). And why does Sir Paul McCartney continue to pose thumbs-up for virtually every photograph ever taken of him, so many years after the style police cautioned him for naughtiness? Or, perhaps most puzzling of all, why does *Time To Say Goodbye* (Con Te Partiro), the cod-operatic ballad duet between Sarah Brightman and Andrea Bocelli, continue to linger in the Top 30 more than two months after its release, despite never being played on the radio?

Never played on the radio? Then you've been listening to the wrong — or should that be the right? — station. Should your dial have been tuned to Radio 2 these past three months, you will have heard more of Brightman and Bocelli than of any other chart act. Radio 2's loyal audience loves the song and still hasn't heard enough of it. And, given that its current percentage share of the British listening public is a market-leading 12.6 (Radio 1 trails with 11.2), that gives the station immense taste-making (and, hence, record-selling) clout within that frequently underestimated musical genre, the middle of the road.

But easy listening is hip these days, you might argue back authoritatively, having read as much about it in smart magazines aimed at smart young people. Well, yes... but although Noel Gallagher might be proud to take the Festival Hall stage alongside his idol Burt Bacharach, hell is likely to freeze over before he steps into Bocelli's

shoes alongside a trilling, cooing Brightman.

There is a profound irony at the heart of such an argument though, and it is this. Back in the late 1960s and early 1970s, when the Carpenters, Sergio Mendes and other saints of today's lounge music set were all over the easy-listening airwaves, the hip and happening were listening to the likes of McCartney, Bob Dylan, Stevie Wonder or James Taylor. These days, such artists can't get near a pop radio programmer's schedule.

We're talking classic tracks by enduring artists?

but have found a happy alternative home at Radio 2.

This upside-down, inside-out situation arose for two reasons. First and most obviously, we are none of us getting any younger, performers and fans both. And, as a new generation grows up in our wake, with tastes and heroes of its own, it is natural that all but the John Peel among us will be shunted over towards the centre ground. The potential result? One morning, you wake up and find you don't recognise anything being played, and that all your old favourites are now to be found on a different frequency, quite probably Radio 2 or its nearest local equivalent. The second reason is that, in the words of its Controller James Moir, the station has been deliberately "taking it younger".

It's an important job, lowering

the admission threshold: each year, some 200,000 of the faithful shuffle off this mortal coil, leaving what would otherwise be an ever-declining listenership. The poaching of former Radio 1 presenters such as Steve Wright and Bob Harris has helped to create a more welcoming environment for those in the key Radio 2 demographic, just as, for example, will the future presentation of live concert recordings by the likes of Annie Lennox, Tina Turner and Genesis.

But, while handsome offpeak coverage of specialist musical areas such as jazz, folk, blues and R&B (the regular *Celebrity Soul Show*, hosted by names of the calibre of Chaka Khan and Luther Vandross, has been a particular coup) also lures in interested newcomers, the character of Radio 2's daytime playlist remains the crucial element. "We're talking quality and excellence," Moir says. "Classic, melodic tracks by classic, enduring artists."

But, lest you think that means non-stop Frank and Ella, it should be pointed out it also means the likes of Wet Wet Wet, the Beautiful South, Celine Dion and Prefab Sprout. Compilation of the network's weekly playlist is overseen by Geoff Mullin, head of music policy, who was recently wooed back to the BBC after a stint with the successful regional independent, Melody Radio. Up to 30 current singles, most of them singles, are featured each week, on top of an active database of some 5,000 other tracks. Folk-rock and new country by the likes of Shawn Colvin, Trisha Yearwood and Alison Krauss are faring well at present, as are the latest offerings by teen acts such as Boyzone, Gary Barlow and 911. Cathy Dennis, Paul Young and Jon Secada are there too.

The unifying factors? All are



Radio 2 alerted the record-buying public to Sarah Brightman and Andrea Bocelli's *Time To Say Goodbye*, and the rest was chart history

melodic, well-crafted, easy on the ear. And all are being ignored — and are likely to continue to be so — by Radio 1. Famously, Status Quo made an undignified fuss a while ago when they found themselves in exactly that position. Perhaps they should have got their song pluggers to follow the example of many another and head straight for Radio 2 instead.

"Although we are not in the

business of creating hits, we are deeply proud when it can be proved that the success of a particular record is down to the fact that we have especially championed it," says Moir. He runs through a list of recent singles by the Bee Gees, Phil Collins, Dion, McCartney, Wonder & Babyface, and albums (David Gates and Bread, Elvis Presley, Dylan and kd lang) ignored by hipper, younger stations but buoy-

ant in this week's charts thanks to his MOR muscle.

Meanwhile, on behalf of possible new converts to the station, I feel obliged to ask one question of Mullin: how long will the divine Sarah's single, recently awarded gold disc status, linger on the playlist? "It's already stayed active much longer than most things we play, simply because listeners continue to react strongly in favour of

it, as witnessed by its very slow decline in the charts," Mullin says. "At some point, though, a value judgment will be made. There will come a point when we decide it is past its sell-by date, and let it join the database of classic tracks."

Time to say goodbye? Not quite yet, it seems. As to whether it's time to say hello to Radio 2, that will depend on how much you hate the song.

IN CONCERT: The meaning of riff revealed; jazz and pop go head to head — and both lose; a legend in his own reverie; the future of drum and bass

Soul garnished with chops

The word "riff" is defined by the *Oxford English Dictionary* as "a short repeated phrase in jazz etc". What the OED does not mention is that in blues and the modern master of the riff is Robert Cray.

Nearly all of the numbers during his performance at the Empire were built around stinky and sinuous riffs, musical phrases that provided the backbone for the song and caught the audience in much the same way as a strong hook will snare someone listening to a pop record.

You get the feeling that Cray gets the riff first and then layers the song around it to create a sound not unlike that produced by one of the great riff factories of the past — the Memphis Stax studio in the 1960s and 1970s.

And the link is an apt one, for Cray has another strong musical ace in his pack — his voice. One Cray fan told me he liked the singer because he was the nearest performer he had nowadays to Otis Redding, and listening to him on numbers such as *Nothing Against You* and *I Can't Quit*, both from his new album, *Sweet Potato Pie*, you could see what he meant.

Cray may lack Redding's "got to getcha" vocal mannerisms (which many may see as



a blessing), but he is basically a blues guitarist with a soul singer's voice.

Unlike his Memphis counterparts, though, there is no flashy showmanship with Cray. His only concession to glitz was a chrome-plated guitar and a polite "Thank you kindly" to an appreciative crowd in between numbers.

Yes, we heard a snappy *Hallelujah I Love Her So*, and a short but potent bout of gospel moaning from his backing singers, the Raelettes, on *What'd I Say*. But, for most of the evening the star seemed curiously detached.

He was clearly not in the best of moods, either. A renowned perfectionist, he muttered threats about the volume levels, repeatedly striking his microphone with his hand, mid-song. Later it was the turn of his hapless bass player to receive a brutal dressing-down as his

But it was the musicianship that counted. With his regular back-up band of Jim Pugh on keyboards, Karl Seaverd on bass and Kevin Hayes on drums, he has achieved a rock-steady precision and a perfect vehicle for his well-honed songs. If there was any criticism, it was that things were perhaps deliberately left too low key. His new album brought back a brass section in the shape of the Memphis Horns, and it would have given slightly more texture to

the evening had they been there too.

But there was a lot to enjoy, such as Pugh's lolling crowd-pleaser, *The One in the Middle*. You can't knock a man who has been consistently carrying the torch for the contemporary blues boom since cutting his first album in 1980. He remains resolutely his own man, a strong persuader — and still Crayzie after all these years.

JOHN CLARKE

And some days the old bear eats you

RAY CHARLES trails so much history behind him that we come to expect miracles every time he and his big band roll into town. So when he turns in a routine performance — as he undoubtedly did on the opening night of the Serious Summer festival — the sense of anticlimax is all the more palpable.

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He was clearly not in the best of moods, either. A renowned perfectionist, he muttered threats about the volume levels, repeatedly striking his microphone with his hand, mid-song. Later it was the turn of his hapless bass player to receive a brutal dressing-down as his



employer questioned his sense of pitch at some length.

The sound mix did the band few favours on the long-winded instrumental numbers that always open Charles's concerts: his own voice was also indistinct for long sections of the show. Matters improved on the familiar waltz treatment of *Oh, What A Beautiful Morning*, but the arrival of the Raelettes for the final quarter prompted no dramatic change of gear.

The audience still gave Charles a standing ovation. They were equally impressed by the majestic Canadian singer-pianist Diana Krall, who made

the most of a brief support slot to reassert her status as the most exciting new vocal talent of the decade. She allowed us a glimpse of her more mischievous side on Dave Frishberg's sugar-daddy vignette, *Peel Me a Grape*.

An engagingly eclectic programme continued on Wednesday with slick Brazilian pop from the singer-songwriters Ivan Lins and Djavan. The latter had an unfortunate habit of burying the subtleties of his melodies beneath the stadium beat of an over-amplified drummer. Lins, acclaimed as the heir to the late Antonio Carlos Jobim, exudes a similar affinity for subtle jazz-influenced harmonies. His guitarist was the pivotal figure in a compact band that coped admirably with the changes of pace.

CLIVE DAVIS

Dance with brains

Soul Cougning Bristol

extended groove, the small Bristol audience all but slipped into a hypnotic trance. As if to test its crowd control, towards the end of the hour-long set, the band segued the recent single *Super Bon Bon* into Madonna's *Like a Prayer* and suddenly the audience snapped back to reality.

Soul Cougning's set-up on stage is as unusual as the songs. Behind Doughty, who twists and jerks his skinny body as he delivers his lines, Mark De Gli Anthoni plays a tiny keyboard perched on top

Star players in the wrong game

Herbie Hancock Festival Hall

ual and collective reputations with exemplary seriousness. The nearest jazz gets to a genuine supergroup, the All Stars — tenor player Michael Brecker, guitarist John Scofield, bassist Dave Holland, drummer Jack DeJohnette and percussionist Don Alias — were assembled for Hancock's *New Standard* album in 1996. But given the music's economic realities, such stellar assemblages are rarely seen outside the recording studio.

As its name suggests, Hancock's hand eschews the conventional standards repertoire

— Irving Berlin, Cole Porter, Rodgers and Hart songs — in favour of tunes by the likes of Kurt Cobain, Steely Dan and Sade, and it was with a Don Henley piece, *New York Minute*, that they began, subsequently moving swiftly on to John Lennon's *Norwegian Wood* and Peter Gabriel's *Mercy Street*. All drew crowd-pleasing solos, Scofield and Brecker in particular rising to the improvisational challenges presented by non-jazz vehicles, but the difficulty they experienced in doing so could not but raise doubts as to the project's overall viability.

Pop songs, after all, are designed, first and foremost, to be immediately catchy: their appeal resides largely in their

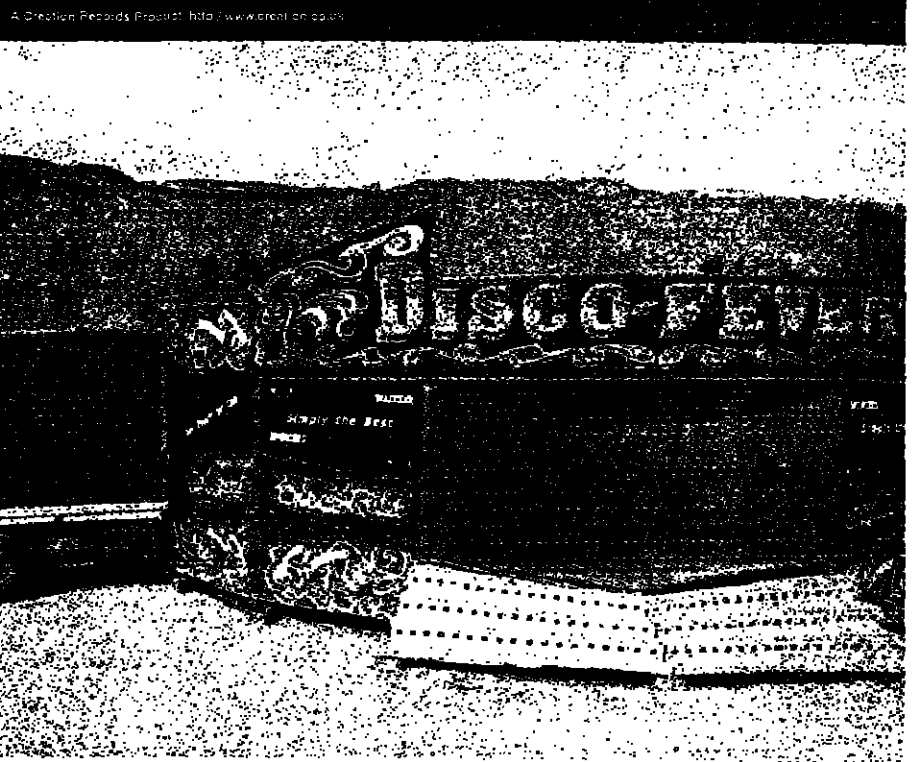
ephemerality, their necessarily short-lived conformity with the arbitrary dictates of fashion. To revisit them with serious intent risks exposing their musical shortcomings: *Norwegian Wood*, for example, relies for its success as a pop tune on the very melodic repetitiveness that militates against its suitability for improvisation. Its family-surdoric lyrics are simply too specific and eccentric to be of the same use in informing the emotion of a jazz solo as those of, say, *Body and Soul*.

The majority of the evening's musical highlights were consequently provided in spite of the band's material — Prince's wonderfully funky *Thieves in the Temple* aside. The extraordinary potential inherent in the line-up remained largely untapped, talents both individual and collective remaining frustratingly underexploited.

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RUMOUR has it that Tricky cancelled American art rockers Soul Cougning as support for his last UK tour when he heard how good the band is live. To judge by Wednesday night's performance, albeit in a Bristol bar called the Fleece and Fickin, the rapper was right to have worried.

At its best, Soul Cougning's free-form fusion of jazz, folk, hip hop and spoken poetry is every inch as intense as Tricky's melancholy music, but much more audience friendly. If, on paper, the songs sound as studied and introspective as trip hop (on record Soul Cougning can try too hard), played live they become glorious, funk-filled, open-ended excursions into intelligent dance territory.

When singer M Doughty formed Soul Cougning in New York four years ago, his aim was to assemble a hip hop outfit that operated along the lines of Funkadelic. He has succeeded. When the four-piece locked into a song, and went off on an improvised

Funes of glor

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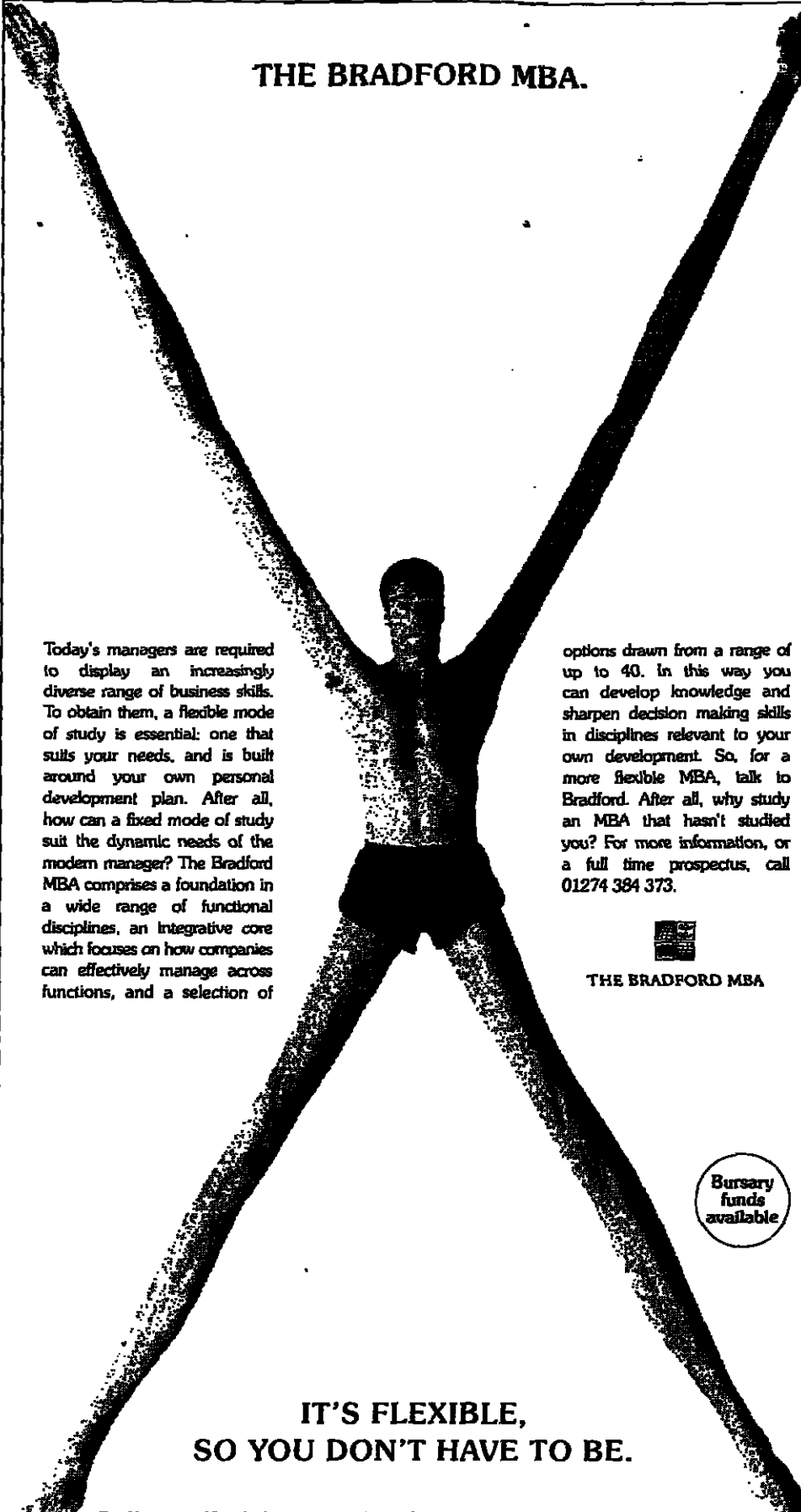
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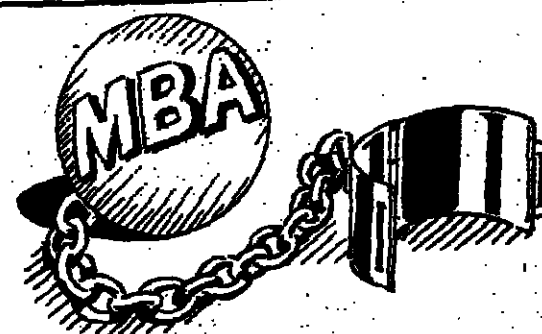
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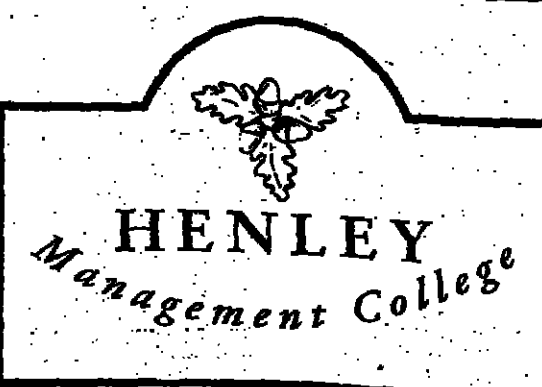
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EDUCATION

Finance and quality will be the themes of next week's Dearing report on higher education. David Charter and Dan Cohn-Sherbok report

Standards are all a question of degree

The headlines about next week's milestone review of higher education by Sir Ron Dearing will focus on fees. But the question of guaranteeing the quality of university degrees may be of equal significance in the long term.

Just as Sir Ron prepares to pronounce, however, universities have formally abandoned their search for a way of guaranteeing that all first-class degrees reach the same standard. Degrees, said the Higher Education Quality Council, are like cars. There will always be the Rolls-Royce and the family runabout.

The council, an agency of the Committee of Vice-Chancellors and Principals, admitted two years ago that degree standards varied from university to university.

Now, in the final report of its Graduate Standards Programme, it says the range of courses on offer across Britain's 104 fiercely independent universities means that this will always be the case.

Not only did the council's two-year survey expose trends in awarding degrees, which made impossible the claim that one university sets exactly the same standards as another, but it suggested that the traditional method of classification into first, second and third-class degrees acted against the interests of accurate comparability.

Roger Brown, chief executive of the council, said: "There are ways degrees could be made more comparable, but they will never be fully comparable. If you move away from a class honours system, there is more chance that you will have a

comparable system." Another by-product of the move towards a mass higher education system which has had no previous review of degree-awarding conventions was the devaluation of the award of "honours" over the past 20 years, the council added.

Dr Peter Wright, HEQC assistant director, said: "Typically, honours was considered the mark of the elite student a few decades ago. It seems odd that with the participation rate going up three times, 30 per cent come away with an honours degree."

Moreover, the current system caused confusion by allowing poor students to earn degrees in the first place, the council believes.

"Most academics look for a satisfactory level of performance, which they place in the second-class category, then rate other students in relation to that, so to get a third or pass is not satisfactory," Dr Wright said.

The HEQC would like to see quality guaranteed by a higher pass mark. A new minimum standard should be set somewhere above the present level of a third-class degree, Dr Wright said. This would either disqualify or re-negotiate the 15 per cent of students who graduate with a third class or pass.

Universities reject the idea of a national curriculum and any system of common external tests to ensure across-the-board standards. The Graduate Standards Programme proposes seven ways of strengthening academic judgments.

These include closer attention to standards when courses are designed, and the sharing of exemplar scripts between universities to



The Review of Higher Education is expected to recommend a new framework for university qualifications

compare marking approaches. Much work was needed to strengthen the external examiner system, which is seen as the main bulwark against the erosion of standards, but in reality covers a wide range of varying practice, the council found.

The Government's Review of Higher Education is expected to recommend a new framework for university qualifications when it delivers its views on the future of British universities this month.

But it will most likely stop short of scrapping degree classifications altogether. First, seconds and thirds may well coexist with school-style transcripts until a more

reliable system is established. Sir Ron, who is leading the review, wants universities to demonstrate much more clearly what a degree is worth, said Dr Wright.

"A generation ago, higher education was essentially a small system for insiders," he said. "Nowadays it is a mass system and people who come out will be employed in a wide range of enterprises run by people who are not necessarily graduates. The system has to explain that which was implicit about degrees before. Taxpayer and consumers need to know they are getting value for money."

Some former polytechnics and a handful of traditional universities,

including London and Birmingham, had already introduced a transcript. A certificate issued alongside the grade showed the graduate's achievements in all the different parts of the course.

Dr Wright described the diversity of degrees as being like a range of cars. "If you are talking about the quality of a car, you are looking for different things from a four-wheel-drive, a sports car or the family runabout. They all have to pass an MOT but they have different purposes. The difference with cars is that there is a lot more information available about them."

DAVID CHARTER

What cost the American dream?

Growing up in the leafy suburbs of Denver, Colorado, I was aware from a very early age that a university education would be expensive. It was a major priority for my parents to save for my undergraduate and postgraduate studies. But no one could have predicted how much it would cost. I was a student at a very expensive men's college on the East Coast for four years, and then I trained to be a rabbi at a rabbinical seminary for a further five. Finally, I spent three years at Cambridge studying for a PhD. At the end of this long process, my father was complaining that he could have bought two Rolls-Royces for what it cost.

My case is unusual, yet it is not uncommon for American parents to endure serious financial hardships to put their children through university and graduate school. The most eminent universities are staggeringly expensive. A year at an Ivy League college, for example, today costs more than \$30,000 (£18,300) including tuition and board. This amounts to a total of about \$120,000 for a BA degree. For many students, however, this is not the end. All professions — law, medicine, accountancy, dentistry etc — demand further years of study at much the same cost.

In America there is no ideological argument to support charging fees. It is simply a matter of balancing the books. Private universities are not supported by public funds: instead they must raise revenue through two major sources: tuition fees and endowments. State universities are similarly dependent on fees and endowments.

Are there any real advantages to such a system of funding? To my mind, the drawbacks are overwhelming. Charging tuition fees places enormous burdens on families, particularly where there are several children. Paying for a college education is a painful obsession for parents who want their children to be front-runners in the race of life. Yet not all

Parents can suffer severe financial hardship

students are able to benefit from the American dream — in many cases those whose parents cannot afford to pay fees refrain from applying to expensive universities. While generous scholarships are offered to the most needy, most applicants are ineligible for full funding. This means that the best institutions tend disproportionately to attract children from the most wealthy sector of American society.

For more than 20 years I have taught in the British university system; during this time I have rejoiced in its commitment, its openness. All universities are publicly funded; there is total equality of opportunity. No able student hesitates to apply to any university because it is too expensive. In essence, every student who qualifies for admission is given a full scholarship which covers tuition. This enviable system is now under attack. Yet there is every reason to preserve it. Admittedly with the increase in students in higher education, more funds will be needed. But what could be more precious to the life of the nation than the education of its young?

It is sometimes suggested that students will value their studies more if they pay for it; hence it is only right that undergraduates take out loans to cover costs. This argument, however, is simply a rationalisation for cutting state funds. I certainly didn't value my education more because my father paid for it. The Americanisation of the British higher education system will produce the same negative results. The problem of higher education funding should not be solved by mortgaging the future of undergraduates, but by supporting them through state resources. Centres of excellence will not be produced through artificial league tables, but by sustained funding so that institutions can attract the best students irrespective of their financial circumstances.

Rabbi Professor Dan Cohn-Sherbok is Professor of Judaism at the University of Wales, Lampeter.

Sig Prais reveals the full story behind an alarming slip in standards

The latest round of an international comparison of pupils' mathematical attainments was completed yesterday, with an analysis of the likely factors behind the poor performance by English pupils. The full report of the Third International Mathematical and Science Study is highly relevant to our schools.

Probably the most important finding is that attainments in mathematics by English pupils aged 13-14 continue to be undistinguished by broad international standards, and provide no grounds for the expectations fairly widespread a generation ago — that England's schooling is such as to set the country at the forefront of scientific and technological progress.

The attainments of English average pupils at 13-14 row lag — by the equivalent of about a year's schooling — behind such Western European countries as Austria, Belgium, France, Holland and Switzerland and are very much more behind Pacific Rim countries (Japan, Korea, Singapore, for example) where schooling for a technological age is intended at first to match, and then to overtake, Western standards — has been the overriding objective for the past generation.

Of international leading economies, only the achievements of the United States give grounds for pause and reflection: their pupils' mathematics scores at this age were similar to England's (perhaps even a shade lower). But only by a variety of expensive supplementary measures, including an average length of schooling for the equivalent of about two full-time years beyond that typical here, have they succeeded in maintaining their technological capabilities and economic performance at very high levels.

In any case, the US educational experience provides little by way of comfort or guidance to those looking for new directions in which English schooling should move.

Arithmetic is confirmed by the TIMSS as the branch of mathematics with the greatest shortfall in English pupils' attainments. The concern is not with arithmetic of a complex kind (for example, calculating the square root of a number by a paper-and-pencil algorithm) but is the most

Maths report: England must do better

basic level: about half of English pupils at age 13 could not calculate correctly 6,000 minus 2,369. Progress by pupils after that age at this basic arithmetical level is bound to be slow and about a third of English pupils seem likely to reach the end of compulsory schooling unable to carry out such a calculation.

England was behind almost all other 40 participating countries in this respect (only in four participating countries were fewer pupils able to answer that subtraction question correctly).

English deficiencies in arithmetic are confirmed as arising at the primary stage of schooling by a parallel IEA survey of 8 to 9-year-olds. The same subtraction sum (6,000 minus 2,369) could be answered correctly by some 91 per cent of continental 9-year-olds, but only by 15 per cent of English pupils at that age.

It is easy to discount failing in such basic arithmetic as being only a small part of the broader canvas of mathematics needed by the aspiring modern mathematical or technological specialist. But to do so would overlook the role of arithmetical competence as a pedagogical foundation stone for progress in other branches of mathematics and science. It

would also undervalue the arithmetical needs of the ordinary citizen in his everyday life, and the employment needs of the broad cross-section of school-leavers who without being technological specialists, need to work with increased precision in an increasingly automated and computerised world.

England's shortfall in mathematical attainments are more severe among average and below-average pupils than at the upper end of the range.

The proportion of secondary school pupils with very low scores in England in these mathematics tests was about twice as great as in Western European countries mentioned here, for example, scores attained by the lowest 10 per cent of Swiss 14-year-olds were attained by the lowest 20 per cent of English pupils.

This larger proportion of low and underachievers in England, with particularly great disabilities in basic arithmetic, leads to worries that the English schooling system is in some way malfunctioning, and is contributing to the creation of an economic and social underclass. Absenteeism by pupils was apparently high in England, but was inadequately

investigated in this survey; it obviously contributed to underachievement and warrants further investigation.

The new point to emerge from this survey relates to England's top-attaining pupils. Previous international surveys were consistent with the view that — irrespective of low mathematical attainments by England's average and below average pupils — the performance of England's top pupils equaled, and perhaps even exceeded, the best of the corresponding top proportion in other countries.

The present survey indicates that the mathematical attainments of the top 5 per cent of English pupils (those who might become mathematical specialists) and of the top 24 per cent (the broader group now eligible for university entrance in general) are below those of the Western European countries mentioned here.

This finding is consistent with complaints made increasingly in recent years by English university professors of declining mathematical standards of students now entering mathematics, science and engineering departments.

England has not been bereft in the past generation of major policy initiatives to raise schooling attainments. The secondary school system has been "comprehensivised" (virtual elimination of selective secondary schools for high-attaining pupils), there was a large-scale governmental inquiry specifically into mathematics teaching in 1992 and a national curriculum has been introduced for primary and secondary schools.

In that perspective, the TIMSS report on mathematical attainments may be interpreted as being of a familiar disappointing sort — England "should be capable of doing better", "must try harder", "needs to reconsider basic study habits".

Little, if anything, seems to have been achieved to advance low-attaining pupils, while top-attaining pupils seem to have lost their international excellence.

The full text of Professor Prais's article in the Journal of the National Institute for Economic and Social Research is available for £5 from NIESR Publications, 2 Dean Trench Street, London SW1P 3HE.

Mathematics scores at 13 and 14					
	Age year 9	Score year 8	Score year 9	Median score at 13	Annual rise
England	14.0	476	506	482	30
Austria	14.3	509	539	509	30
Belgium	14.2	n/a	548	539	n/a
France	14.3	492	538	498	48
Netherlands	14.3	516	541	519	25
Switzerland	14.2	508	545	519	40
United States	14.2	478	500	472	24

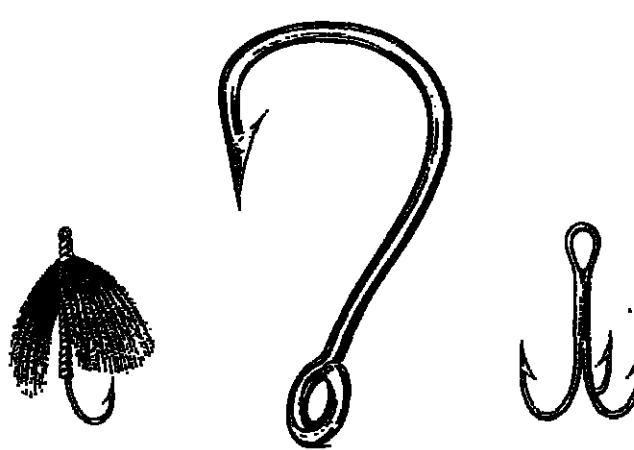
Source: TIMSS

Note: Year 9 refers to English school system; annual increase compares average scores for years 8 and 9.

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Court of Appeal

Law Report July 18 1997

Court of Appeal

Dismissal before transfer lawful

Wilson and Others v St Helens Borough Council
Sanders and Another v St Helens Borough Council
Meade v British Fuels Ltd
Baxendale v British Fuels Ltd
 Before Lord Justice Beldam, Lord Justice Waite and Lord Justice Mummery
 [Judgment July 10]

The Transfer of Undertakings (Protection of Employment) Regulations (SI 1981 No 1794) could not be applied to dismissals before a relevant transfer so that the transferor might validly, albeit unfairly, terminate his employees' contracts so that they were not employed immediately before the transfer.

The Court of Appeal so held in a reserved judgment allowing appeals by St Helens Borough Council from a decision of the Employment Appeal Tribunal (*The Times* April 10, 1996) in claims brought by nine members of its staff, and by two employees of British Fuels Ltd from a decision of the Employment Appeal Tribunal on July 24, 1996 in favour of the company.

Regulation 5 of the 1981 Regulations which implemented the Acquired Rights Directive (77/187/EEC) of the Council of the European Communities (OJ 1977 L61/26) provides:

"(1) ... a relevant transfer shall not operate so as to terminate the contract of employment of any person employed by the transferor in the undertaking ... but any such contract which would otherwise have been terminated by the transfer shall have effect after the transfer as if originally made between the person employed and the transferee."

Regulation 8 provides: "(1) Where either before or after a relevant transfer any employee of the transferor or transferee is dismissed, that employee shall be treated ... as unfairly dismissed if the transfer or a reason connected with it is the reason or principal reason for his dismissal."

Article 4 of the Acquired Rights Directive provides: "(1) The transfer of an undertaking, business or part of a business shall not in itself constitute grounds for dismissal by the transferor or the transferee. This provision shall not stand in the way of dismissals that may take place for economic, technical or organisational reasons entailing changes in the workforce."

Miss Cherie Booth, QC and Mr Simon Gorton for St Helens Borough Council; Mr Patrick Elias, QC and Mr Nicholas Randall for the St Helens employees; Mr David Bean, QC and Mr Nicholas Randall for the British Fuels employees; Mr Nicholas Underhill and Mr Brian Napier for British Fuels Ltd.

LORD JUSTICE BELDAM said that the two separately constituted appeal tribunals had apparently reached decisions which were inconsistent in their interpretation and application of the 1981 Regulations and the Acquired Rights Directive.

The question common to both decisions was whether on the transfer of an undertaking, notice given by the transferor to determine the contracts of employment of his employees which was valid under English law was effective to determine the contracts of those employees who had been offered and accepted employment with the transferee on less favourable terms and conditions.

In the St Helens appeal a community home owned by trustees and managed by Lancashire County Council employed a staff of 162. In 1990 the county council decided that its financial resources were no longer able to run the home.

The trustees asked St Helens Borough Council to assume responsibility and they only agreed to do so on the understanding that it made no demands on their financial resources.

The scale of the operation was to be substantially reduced and the staff reduced from 162 employed by the county to 72 employed by St Helens.

Necessarily, the job descriptions of the new posts differed from those when the home was run by the county and in some cases the loss of allowances resulted in a significant loss of earnings.

Matters having been thus arranged, the county gave notice terminating on grounds of redundancy the employment of the 72 members of the staff who had accepted the new posts on September 30, 1992 and they took up their new employment on October 1, 1992.

It was wrongly assumed that the transfer of the management did not attract the provisions of the 1981 Regulations and the Directive. On March 2, 1993 the employees' trade union, NASUWT, wrote to St

Helens Borough Council pointing out that the transfer of the home was a relevant transfer within the meaning of the 1981 regulation and claiming that the employees were therefore employed under the terms and conditions of their former contracts with the county council. An industrial tribunal found for the employees but the appeal tribunal rejected their claims.

In the appeals by British Fuels Ltd employees, the appellants, Mr Meade and Mr Baxendale, had been employed by the British Coal Corporation (BCC) since 1978. In July 1992 BCC told both employees that it intended to merge the subsidiary company they worked for with another they had taken over and that the new company would be called British Fuels Ltd.

On August 20, 1992 the appellants were given three months' notice starting the following day, and promised redundancy payments. On the same day BFL offered both appellants employment on less favourable terms and conditions from September 1, 1992 on different and less favourable terms which they accepted.

On January 22, 1993 BFL wrote to the appellants proposing a change in the terms and conditions of their appointments. The change was to include a statement that their previous service would be treated as though it was continuous service with BFL. Neither BFL nor the appellants realised that the 1981 Regulations and the Directive applied to the merger.

Both appellants accepted the revised terms. On September 21, 1994 Mr Meade issued a complaint to an industrial tribunal claiming entitlement to a declaration that he was still employed by BFL under the same terms and conditions as he had enjoyed when employed by the subsidiary of BCC. The tribunal dismissed his claim, finding that he was employed under the terms set out in the notice signed by him on April 23, 1993.

Mr Baxendale was dismissed for redundancy in February 1995. He complained to an industrial tribunal and also sought a declaration of his terms of employment with BFL. The tribunal found that his terms of employment were those set out in the letter which he had signed on May 14, 1993. The appeals of both appellants were dismissed by the appeal tribunal.

Miss Booth argued that the decision of the tribunal should be restored. The appeal tribunal had

erred in substituting for the finding of the tribunal that the reason for dismissal was economic or organisational its own finding that the transfer was the reason for the change of conditions.

Mr Underhill argued that BFL's employees' contracts had been validly terminated by notice on August 20, 1992. That dismissal prevented their contracts transferring to BFL.

Mr Elias, supported by Mr Bean, argued that the interpretation which had been put on the Acquired Rights Directive by the European Court of Justice in *Foreningen af Arbejdsledere i Danmark v Daddy's Dance Hall A/S* [1988] ECR I-393 and *Bork (P) International A/S v A/S Danmarks Import* [1988] ECR 2639 was clear and uncompromising that contracts of employment continued and could not be determined. Nor could the employee agree to take employment with the transferee on less favourable terms because it would be against public policy.

His Lordship said that regulation 8(1) presupposed that the transfer was the reason, or principal reason for the termination of the employee's contract and that even regulation 5 provided that the transfer was not to determine the contract which was to have effect as if made with the transferee.

The regulations had to be read as a whole and the court or tribunal had to seek the reason for the termination of the contract and not the manner in which it was effected by the employer.

To uphold an employer's right validly to dismiss employees in a relevant transfer, the court or tribunal had to be satisfied that the benefit of their contracts of employment and leave them only with remedies to enforce secondary obligations.

It would, moreover, be inconsistent with the interpretation with regulation 5 of the 1981 Regulations in *Liverpool Dock & Engineering Co Ltd* [1990] 1 AC 546, 568.

Regulation 8 clearly envisaged dismissal both before and after a relevant transfer: before transfer such a dismissal could only be effected by the transferor.

The regulation drew a distinction between those dismissals which were unfair, because the reason or principal reason for them was the transfer or a reason connected with it, and those which

were to be regarded as not unfair because the reason or principal reason for them was an economic, technical or organisational reason entailing changes in the work force.

Thus if a contract of employment was terminated for such a reason, it was not to be regarded as terminated by the transfer itself although the termination might occur on the occasion of the transfer.

In the St Helens appeal the industrial tribunal effectively held that the reason or principal reason why the contracts of employment were terminated was an economic or organisational reason.

Accordingly, the regulations had to be interpreted in a way which was consistent with article 4(1) of the Directive so that the provisions of regulation 5 did not apply to continue the contracts of employment with St Helens.

On that basis when the employees took up their new positions on October 2, 1992 they did so on the terms of the new contracts.

In the appeal by the BFL employees, Mr Underhill forcefully argued that even if the contracts were to be deemed to continue after the transfer they could not be regarded as indeterminate and that, at least by April 23, 1993 in Mr Meade's case and May 14 in Mr Baxendale's, they should be regarded as being employed on the terms and conditions then agreed. It was still necessary, however, to ask whether the transfer or a reason connected with it was the reason or principal reason for the determination.

Although the new terms varied the hours of work and rates of pay, the principal reason for the alteration appeared to have been to reflect BFL's letter to the employees of January 22, 1993 by which BFL had agreed to restore continuity of employment.

Thus it would seem that the reason for the changes was connected with the transfer and there was no evidence of any other reason. His Lordship considered that the transfer or a reason connected with it remained the effective reason for the changes.

Lord Justice Waite and Lord Justice Mummery agreed. Solicitors: Reynolds Porter Chamberlain; Hopkin & Son, Mansfield; Nabarro Nathanson, Sheffield.

Mennell v Newell & Wright (Transport Contractors) Ltd
 Before Lord Justice Phillips, Lord Justice Waite and Lord Justice Mummery
 [Judgment July 10]

Section 5(1)(a) of the Wages Act 1996 did not confer jurisdiction on an industrial tribunal to entertain a complaint by an employee that his dismissal was unfair because he had asserted a statutory right not to suffer unauthorised pay deductions unless the employer had actually deducted money unlawfully from the employee's wages. The mere threat of a deduction was not sufficient to found jurisdiction.

Section 6A of the Employment Protection (Consolidation) Act 1978, inserted by the Trade Union Reform and Employment Rights Act 1993 and now section 104 of the Employment Rights Act 1996, applied even where the employee did not have the two years' continuous service required to qualify for the general right under section 54 of the 1978 Act not to be unfairly dismissed.

It was not confined to cases where the relevant statutory right had been infringed, but included cases where the employee alleged that the reason for dismissal was that he had alleged that his employer had infringed his statutory right. Provided it was made in good faith such an allegation need not be correct either as to the entitlement to the right or to its infringement.

However, on the facts in the instant case, the employee had been unable to establish that he had made such an allegation.

The Court of Appeal so held allowing an appeal by Newell & Wright (Transport Contractors) Ltd from a decision of the Employment Appeal Tribunal (*The Times* May 2, 1996; [1996] ICR 607) allowing an interlocutory appeal by Kevin Mennell from a decision of a Sheffield industrial tribunal on May 10, 1995 that it had no jurisdiction to hear his complaint that he had been dismissed when he refused to agree a new contract which he asserted had the effect of providing for unlawful deductions from his wages contrary to the Wages Act 1996.

Mr Martyn Barklem for the employee; Mr Nigel Grundy for the employer.

LORD JUSTICE MUMMERY said the employee had invoked section 60A of the Employment

Protection (Consolidation) Act 1978 which conferred a right not to be dismissed on the ground of asserting a statutory right.

From March 1993 until November 1994 the employee was employed by the appellants as a driver. In September 1994 the employer had issued a draft standard form of contract to all its drivers and invited each to sign.

The draft contract contained a provision not in the existing employment contract that enabled the firm in the event of the employee's resignation to deduct from the employee's final pay the cost of his training in the carriage of dangerous goods.

The employee had refused to sign, although all his colleagues had done so. He was dismissed and complained of unfair dismissal. The employer maintained that he did not have the necessary two years' service to qualify for the right not to be unfairly dismissed and that in any event he had been fairly dismissed for "some other substantial reason".

The employee then sought leave to amend the complaint to cover right, namely protection against unlawful deductions from pay contrary to the Wages Act 1996.

The industrial tribunal had unanimously decided that it had no jurisdiction to hear the complaint because the employee had not been continuously employed for two years and on the alleged facts no statutory right could come into effect until the deduction or failure to pay money had actually taken place.

The Employment Appeal Tribunal had held that section 60A(1)(b) applied where an employee alleged in good faith that his employer had infringed a relevant right.

There was no requirement that the right be actually infringed. Thus if the employer caused by dismissal to impose a variation of the contract of employment to incorporate a term which negated the employee's statutory right not to suffer a reduction of wages without his consent, that was or might be an infringement of the statutory right at the time the threat was made. The appeal tribunal had remitted the matter for hearing before a different industrial tribunal.

Although his Lordship agreed with the appeal tribunal's reasoning on the construction of section 60A, the industrial tribunal had

been right on the facts to reject jurisdiction. The employee had no general right not to be unfairly dismissed as he had not been continuously employed for not less than two years. It followed that, apart from the possible application of section 60A, the industrial tribunal had no jurisdiction to entertain a complaint by the employee that he had been unfairly dismissed.

Dismissal for not agreeing to variations in the contract might well be regarded as unfair, but it was not sufficient to confer jurisdiction on the tribunal.

The industrial tribunal had no jurisdiction to hear a complaint by the employee under the Wages Act 1996. A worker might present a complaint under that Act even if he could not satisfy the two-year service requirement, but section 5(1) of the 1996 Act made it clear that the industrial tribunal might only hear a complaint by a worker in a case where the employer "has made a deduction from his wages". There was no jurisdiction to complain about a threatened deduction from wages. There had to be an actual deduction.

The critical question raised by the employee's reliance on section 60A was: what was the reason for his dismissal by the employer?

The two possible answers were: 1. He had been dismissed for refusal to sign the contract, which without more would not bring the case within section 60A and would leave the tribunal without jurisdiction; 2. He had alleged that his employer had infringed a relevant statutory right: section 60A(1)(b).

His Lordship agreed with the Employment Appeal Tribunal that the industrial tribunal was wrong to construe section 60A as confined to cases where the right under the Wages Act had been infringed. It was sufficient if the employee had alleged that his employer had infringed his statutory right and that the making of that allegation was the reason for his dismissal.

The employee could not succeed in establishing that such an allegation was the reason for his dismissal, because he was unable to identify when, where, to whom or in what terms he had alleged that the employer had infringed his relevant statutory rights.

Lord Justice Waite and Lord Justice Phillips agreed.

Solicitors: Russell & Creswick, Sheffield; Towns Needham & Co, Manchester.

Judicial notice of knife

Director of Public Prosecutions v Hynde
 Before Lord Justice Henry and Mr Justice Gage
 [Judgment July 3]

A butterfly knife was necessarily an article for use for causing injury to the person and judicial notice could be taken of that fact.

The Queen's Bench Divisional Court so held in a reserved judgment when allowing an appeal by the prosecution by way of case stated against the acquittal by Mr Stephen Day, Unbridge stipendiary magistrate on January 24, 1997 of Charles Hynde of having with her in an aeroplane an article made for use for causing injury contrary to section 42(6) of the Aviation Security Act 1982.

Mr Nicholas Coleman for the

prosecution; the defendant did not appear and was not represented.

LORD JUSTICE HENRY said that the issue was whether the article in question, a butterfly knife, was made for use for causing injury to the person.

In the schedule to the Criminal Justice Act 1988 (Offensive Weapons) 1988 No 2019, a butterfly knife was defined as "a blade enclosed by its handle, which is designed to split down the middle, without the operation of a spring or other mechanical means to reveal the blade".

Whether a type of weapon was made for causing injury to the person was a question of fact, but in certain circumstances it could be a matter of judicial notice.

In *R v Simpson (Calvin)* [1983] 1 WLR 1494 the Court of Appeal held that a flick knife was offensive per se. In that it was necessarily

made for use for causing injury to the person, since its very design betrayed the purpose for which it was made.

In his Lordship's judgment the butterfly knife was essentially the same weapon, involving the same features of concealment, speed and surprise as the flick knife.

Justice would be affronted if either in every case there had to be oral evidence of the manufacturer's intention, or if the same butterfly knife was found to be an offensive weapon by one fact-finding tribunal and not by another.

The magistrate could and should have taken judicial notice of the fact that a butterfly knife was an article made for use for causing injury to a person.

Mr Justice Gage agreed. Solicitors: Crown Prosecution Service, Harrow.

In re Harvard Securities Ltd (in Liquidation)
Holland v Newbury and Another
 Before Mr Justice Neuberger
 [Judgment June 20]

Although there could not, in English law, be judicial notice of the assignment of an unappropriated interest in chattels, there could be such an equitable assignment of shares.

Mr Justice Neuberger so held in the Chancery Division in holding, on the application of the liquidator of Harvard Securities Ltd, (i) that the proper law for determining the issues, whether its former clients had a beneficial interest in shares it sold to and held for them (a) as to shares in United States securities, and shares in Australian securities sold to clients on or after July 14, 1986, was English law (b) as to shares in Australian securities sold to them before July 14, 1986, was Australian law; (ii) that in English law, but not Australian law, the former clients had a beneficial interest in the number of shares

recorded in Harvard's books as sold to them.

Mr David Halpern for the liquidator; the respondents did not appear and were not represented.

MR JUSTICE NEUBERGER said that up to 1988 Harvard, a licensed dealer in securities, had acquired and sold to clients various registered Australian and USA shares, issuing contract notes for the former, to the effect that so many shares had been bought by order of the client, who was told in a side-letter that his non-numbered shares were held in nominee name on his behalf.

At some date, which his Lordship took to be not earlier than July 14, 1986, those contract notes were amended so as to provide that their provisions were to be subject to the provisions in accordance with English law.

USA shares were registered in the name of a nominee company, the relevant share certificates being held by a bank in London to Harvard's order. Clients were told that their non-numbered shares

were being held "to your order under a nominee name". There were four seminal authorities: 1. *In re Wals* [1927] 1 Ch 606 where a majority of the Court of Appeal argued and decided by the Court of Appeal after argument that had been concluded but before the decision had been given, in *Goldcorp*, Moss, registered holder of 950 shares in a company with 1,000 shares issued capital, orally agreed he would hold 5 per cent of the issued share capital for *Hunter*, a London wine company (Shippers) Ltd [1988] PCC (2) where Mr Justice Oliver had held, similarly, that purchasers out of the company's substantial stocks of wine, who had been given certificates of title as sole and beneficial owners, got no beneficial interest, even when purchasing the total stock of a particular wine.

3. *In re Goldcorp Exchange Ltd* [1995] 1 AC 74 where the Privy Council, approving both the pre-

vious cases, ruled similarly in respect to claims by customers to whom *Goldcorp* had sold bullion which it then purported to store for them.

4. *Hunter v Moss* [1994] 1 WLR 452 argued and decided by the Court of Appeal after argument that had been concluded but before the decision had been given, in *Goldcorp*, Moss, registered holder of 950 shares in a company with 1,000 shares issued capital, orally agreed he would hold 5 per cent of the issued share capital for *Hunter*, a London wine company (Shippers) Ltd [1988] PCC (2) where Mr Justice Oliver had held, similarly, that purchasers out of the company's substantial stocks of wine, who had been given certificates of title as sole and beneficial owners, got no beneficial interest, even when purchasing the total stock of a particular wine.

The House of Lords had refused *Hunter* leave to appeal.

Underhill & Hayton's Law

Scots Law Report July 18 1997 Outer House

Transfer of local authority property

Stirling Council and Another v Local Government Property Commission and Another
 Before Lord Bonomy
 [Judgment May 7]

The power of the Local Government Property Commission (Scotland) when making a determination in relation to an individual item of heritable property under article 3(1)(b) of the Local Authorities (Property Transfer) (Scotland) Order (SI 1995 No 2500) was limited to ordering transfer to a single successor authority established under the Local Government etc (Scotland) Act 1994.

Lord Bonomy, sitting in the Outer House of the Court of Session, so held dismissing a petition for judicial review of a decision of the Local Government Property Commission (Scotland) at the instance of Stirling Council and Clackmannanshire Council.

Mr Stuart Gale, QC and Mr Donald Rae for the petitioners; Mr William Galbraith, QC and Mr James Mure for the first respondents; Mr Roy Martin, QC and Mr Ralph Smith for Falkirk Council, the second respondents.

LORD BONOMY said that the 1994 Act made provision for the property of existing local authorities to be transferred to new unitary authorities.

The petition related to the transfer of a quarry which had been owned by a regional council whose functions had passed to three unitary authorities. Those were the two petitioners and the second respondent. The first respondent had decided that it did not have the power to do so. Judicial review and reduction of that decision was sought.

The petition was concerned with the transfer of article 3(1)(b) of the 1995 Order which the first respondent considered that it had power under article 3(1)(b) to direct that the quarry be transferred to a single other successor authority.

That interpretation was based on the petition on the basis that the expression "such other successor authority" should be construed as including the plural in terms of section 6(c) of the Interpretation Act 1978.

In his Lordship's opinion, giving the terms of article 3(1)(b) their ordinary meaning demonstrated a clear intention that the provisions of section 6(c) of the 1978 Act should not apply.

The article dealt with specific property referred to as "it" being transferred to "such other successor authority" as might be specified by the first respondent. The plain meaning of that provision was that the property in its entirety might be transferred to one other successor authority.

The first stage was to identify what the property was. The word was used extensively throughout article 1 and was defined and used throughout to describe the thing which was transferred rather than the right or title therein.

"It" referred to the thing rather than a particular right therein. It followed that the transferring authority must, if a direction were made, divest itself of the property and retain no interest therein. In articles 6 and 7 the singular and plural were used in a way which indicated singular and plural respectively were intended. Both referred to "the authority to which that property is proposed to be transferred" in the context of a determination under article 3(1) and a direction under article 3(3).

That pointed to the power of the first respondent when making a determination in relation to an individual item of property under article 3(1)(b) being limited to ordering transfer to a single successor authority.

It was perfectly consistent with the whole purpose of the 1994 Act to transfer local authority functions to unitary authorities to provide that in the absence of agreement heritable property of a disintegrating authority should be transferred to the ownership of a single successor authority.

The first respondents had correctly interpreted their powers and the petition would be dismissed. Law agents: Wright Johnston & Mackenzie; Todd Murray, WS; Gray Muirhead, WS.

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Additional evidence should be allowed

Kriba v Secretary of State for the Home Department
 Before Lord Hamilton
 [Judgment March 19]

Where evidence for an applicant for asylum was not challenged by the presenting officer and was uncontradicted, came from an apparently responsible source and was a vital element in the applicant's case, a special adjudicator should not reject that evidence without first affording to the applicant an opportunity to adduce additional evidence.

Lord Hamilton, sitting in the Outer House of the Court of Session, so held, pronouncing decree of reduction of a decision of the Immigration Appeal Tribunal to refuse Mr Ahmed Kriba leave to appeal against a decision of a special adjudicator to refuse his appeal against the refusal of an application for asylum.

Mr Robert Sutherland for the petitioner; Mrs Susan O'Brien, QC, for the respondent.

RACING: AMERICAN JOCKEY LINKED WITH SINGSPIEL OR PREDAPPIO FOR ASCOT SHOWPIECE

Stevens awaits King George invitation

By CHRIS McGRATH

GARY STEVENS, the inspirational American jockey, is set to return to Ascot tomorrow week to ride either Singspiel or Predappio in the King George VI and Queen Elizabeth Diamond Stakes. His participation provides appropriate embellishment to what is shaping up as one of the best races staged in Europe for years.

Stevens illuminated the rain-swept final day of last month's royal meeting with an indomitable performance on Predappio in the Hardwicke Stakes — the perfect finishing flourish to a ten-day visit.

RICHARD EVANS

Nap: SHELTERING SKY (5.30 Newbury)
Next best: Russian Rose (5.00 Newbury)

intended to pave the way for a longer European stint in the future.

Now Stevens, 34, wants to consolidate those foundations. As well as Predappio, he has also ridden Singspiel, winning last year's Canadian International before finishing second in the Breeders' Cup Turf. Yesterday, his agent, Ron Anderson, confirmed that he had offered his services for either horse — and it is hard to see Sheikh Mohammed rejecting. In the rider of 4,000 winners, the perfect solution to a major headache over riding personnel.

For Frankie Dettori looks like being a victim of his own, similarly charismatic success. The Italian has proved



Stevens, who gained his first British victory on Predappio, left, in the Hardwicke Stakes at Royal Ascot, is set to return for the King George

uniquely capable of bewitching Shantou, the St Leger winner. Into producing his best — and the colt's trainer, John Gosden, yesterday admitted that Dettori's availability was a precondition to his planned participation. The sheik, who owns Shantou, would then need to find a rider for Singspiel, as well as the Godolphin pair, Predappio and Swain. Bookmakers are clear where Dettori's own interests lie. Coral dismissing Shantou at

12-1 behind three other top-class horses. The company has chalked up the French champion, Heliasso, as 13-8 favourite, with Singspiel 2-1 and Predappio 100-30. The Tote, which quotes Shantou at 16-1, also gives 13-8 against Heliasso, followed by 7-1 about Singspiel and 4-1 about Predappio.

But Gosden was emphatic, saying: "There is no point running Shantou without Frankie, let's put it that way. I've just got back from the United States, and we won't

be sorting things out until the weekend, but the plan at the moment is to run." Dettori was released from his Godolphin commitments to ride Shantou in the Princess of Wales Stakes at Newmarket last week, and duly cosset his mount home from Sheikh.

Clearly, the chance to switch to one of the Godolphin pair of whom Mick Kinane is already

booked for Pilsudski, but Olivier Peslier could fit the bill for one of the other vacant slots, having lost the ride on Heliasso (to Cash Asmussen) when unable to guarantee his availability. Pat Eddery, who has been riding Kingfisher Mill, may be offered the chance to switch to one of the Godolphin pair of whom Mick Kinane is already

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MUSSELBURGH

THUNDERER
2.40 Always Lucky, 3.10 Suga Hawk, 3.40 Winnabago, 4.10 Goretzki, 4.40 Hudeen, 5.10 Bawlf.

GOING: GOOD TO FIRM DRAW: 5F, LOW BEST SIS

2.40 ROBIN COOK AND UNISON STAFF CLAIMING STAKES (2-Y-O; £3,385; 7f) (10 runners)
1. 35 JUNIOR MURDER 20 (5) (J) M. Jones 9-2
2. 5123 ALWAYS LUCKY 27 (2) (J) M. Jones 9-2
3. 5124 SUGA HAWK 28 (3) (J) M. Jones 9-2
4. 5125 WINNABAGO 29 (4) (J) M. Jones 9-2
5. 5126 WINNABAGO 30 (5) (J) M. Jones 9-2
6. 5127 WINNABAGO 31 (6) (J) M. Jones 9-2
7. 5128 WINNABAGO 32 (7) (J) M. Jones 9-2
8. 5129 WINNABAGO 33 (8) (J) M. Jones 9-2
9. 5130 WINNABAGO 34 (9) (J) M. Jones 9-2
10. 5131 WINNABAGO 35 (10) (J) M. Jones 9-2

5-4 Always Lucky 9-4 Goretzki 9-4 Suga Hawk 10-1 others.

3.10 GJW LIMITED STAKES (£2,931; 1m 4f) (11 runners)
1. 1150 LORRY LANE 14 (1) (J) M. Jones 9-2
2. 1151 LORRY LANE 15 (2) (J) M. Jones 9-2
3. 1152 LORRY LANE 16 (3) (J) M. Jones 9-2
4. 1153 LORRY LANE 17 (4) (J) M. Jones 9-2
5. 1154 LORRY LANE 18 (5) (J) M. Jones 9-2
6. 1155 LORRY LANE 19 (6) (J) M. Jones 9-2
7. 1156 LORRY LANE 20 (7) (J) M. Jones 9-2
8. 1157 LORRY LANE 21 (8) (J) M. Jones 9-2
9. 1158 LORRY LANE 22 (9) (J) M. Jones 9-2
10. 1159 LORRY LANE 23 (10) (J) M. Jones 9-2
11. 1160 LORRY LANE 24 (11) (J) M. Jones 9-2

7-4 Always Lucky 9-4 Goretzki 9-4 Suga Hawk 10-1 others.

3.40 INTERNATIONAL SOLIDARITY HANDICAP (£2,983; 3m) (15 runners)
1. 4056 WELL ARMED 14 (1) (J) M. Jones 9-2
2. 4057 WELL ARMED 15 (2) (J) M. Jones 9-2
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Durham when McGrath. 57

In the first couple of hours

CRICKET

Cambridgeport 101 J M Fielding 4.221

15-10 Quarter-finalist P.O. Box 1000
Fennema 15-10 Senator at D.C.

Britannic Assurance

FOOTBALL

The Oval. Same, 1/2 # 357

BLOEMFONTEIN: International match: South Africa 10 England 38 (first of three)

2001: Open Championship (at Royal Troon)

ELITE LEAGUE: Poole 44 Eastbourne 46:
King's Lynn 58 Wolverhampton 52

town Northgate) 4.53.53. 3. J Swallow.
(Kilworth) 4.55 4 x 100m medley relay.

Diaz-Oliva (Arg) 4-8, 6-2, 4-0 ret. A
Pachauru-Ballent (Fr) by 6. Schaefer.

[Ger] 6-3; 6-4; C Grades [Ger] & L. Oger.

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Wicket D Lewis	12
P Stephenson not out	18

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FORTHCOMING COMPANY GOLF DAYS

For entry details you can either:-

National line shown on

title sponsor
Mees Pierson

The company listed here register either golf day for the 1997 calendar. The first four hundred entries on the list will name the company from which to register for a crack and fruit.

1 TELEPHONE 0171 405 7273

2 FAXBACK ON 0660 600667

3 ACCESS THE INTERNET SITE ON

<http://www.golfaday.co.uk/timescorp/golf/>

Date	Company name	Venue	Players
18 JUL	BP GAS MARKETING LIMITED	WOBURN	50
18 JUL	CAMPBELL CONNECTION LTD	WESTMORE GOLF & COUNTRY CLUB	50
18 JUL	QMB LIFTOR ALSOPO	STOKE PAGES	40
18 JUL	DOUGLAS ENERGY SERVICES LTD	HEADSALL PRIORY	12
18 JUL	EE & BRIAN SMITH (1828) LTD	BEACONSFIELD	21
18 JUL	INTERTECH AMERICA TRADING CO	GOSWICK	130
18 JUL	INTECH PROMOTIONS LTD	THE WORCESTERSHIRE	24
18 JUL	PROFESSIONAL ASSURANCE	POTTERS BAR	24
18 JUL	KODAK LTD	WELLINGBOROUGH	40
18 JUL	PROFESSIONAL ASSURANCE PLC	BAC COUNTRY CLUB	40
18 JUL	S.C.C. LIMITED	ASTON-UNDER-LYNE	50
18 JUL	SHORT BROS PLC	CLANDESTINE	50
18 JUL	TRITON PLC	THE WARWICKSHIRE	50
18 JUL	WOLFE CORROSION MANAGEMENT (POLS OF MAN)	PEEL (L.O.J.)	40
19 JUL	DIKONS GROUP PLC	SHENDISH MANOR	40
19 JUL	PHILLIPS & BOLLEAUX CO ON LTD	ROYAL CRANES	10
21 JUL	BANK OF IRELAND LIFETIME	FORREST LITTLE	40
21 JUL	JAGUAR CENTRE (EURO) LTD	ELSTAM	40
21 JUL	MELTON INVESTMENT FUND LTD	COOMBE HILL	30
21 JUL	NATWEST BANK PLC	GOCKWORTHAMERE	50
21 JUL	STRUCTURE TONE (UK) LTD	CAMMERLEY HEATH	60
21 JUL	TECHNICROP LTD	THE HEREFORDSHIRE GOLF CLUB	40
21 JUL	THE COMETS - NEW SCOTLAND YARD CIVIL STAFF ASS	WATLANDS	40
21 JUL	THE FRANKS GROUP	FERNDOWN	20
22 JUL	BT BOC MARKETING III & A	DUKES DEN	40
22 JUL	GROUNDS	BOUGHTON	30

Date	Company name	Venue	Players
22 JUL	RICHARD ELIAS	WORKING	60
22 JUL	STEEL SERVICES (GREAT YARMOUTH) LTD	SORLESTON	60
22 JUL	YORKSHIRE BANK	MOOR ALLESTON	40
22 JUL	SPURSHAM - HORSHAM	DRISDALE SPA	21
22 JUL	NICHOLSON, GRAHAM & JONES	ST GEORGES HILL	60
24 JUL	CONSTABLE'S COATINGS	ARSTON LODGE	18
24 JUL	DFDS TRANSPORT LIMITED	DUNHAM FOREST	50
24 JUL	LEONARD & LUNDY LIMITED	BIER	50
24 JUL	MIDLAND BANK PLC	BUCKINGHAMSHIRE	40
24 JUL	NELSON BURST CORPORATE RISK SERVICES LTD	CLANDON REGGS	30
24 JUL	ORA ELECTRONICS (UK) LIMITED	MENTMORE GOLF & COUNTRY CLUB	50
24 JUL	ST PETER'S COLLEGIATE SCHOOL	OMERSLEY	25
24 JUL	TOTAL NETWORK SOLUTIONS	MILE END	30
24 JUL	THAMES PAPER	STOKE PAGES	50
25 JUL	A.M.S. PLC	WORKING	40
25 JUL	AXA SECURITIES & LAW	BURY ST EDMUNDS	40
25 JUL	CITY ELECTRICAL FACTORS	BOWWOOD	50
25 JUL	COLLISTER & GLOVER	PADESWOOD & BUCKLEY	76
25 JUL	MEESPIERSON SECURITIES (UK) LTD	HANOVER	24
25 JUL	ORION ENGINEERING SERVICES LIMITED	FORFAR	30
25 JUL	RSSB GROUP	BURNHAM BEECHES	30
25 JUL	SAVE THE CHILDREN FUND (JULEY BRANCH)	ELKEY	76
25 JUL	THE DEVELOPMENT STORE LTD	MENTMORE GOLF & COUNTRY CLUB	20
25 JUL	WHITBREAD PLC	BERKHAMSTED	60

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GOLF WORLD

Rob Hughes joins the 'dew-sweepers' searching for morning glory at the 126th Open

Tiger's gallant advance guard earn their stripes

It is not yet 6am and a wicked wind, gusting to 25mph, is sweeping off the Firth of Clyde. A lone jogger is running into the teeth of that wind along the shoreline: more to the point, a solitary golfer is out on the links, already hitting ball after ball, preparing himself, physically and mentally.

Shaun Webster, 20, an amateur, has the privilege — the mixed blessing — of hitting the first ball of the 126th Open Championship, the seventh to be played on this capricious Ayrshire coast. He is nervous and expectant and he knows enough about life, enough about golf, to suspect that in this wind the course will demand respect even from the greats, or will strip away the self-respect of those who do not come in the right frame of mind.

He strikes balls on the driving range for 40 minutes then puts for 20 and, bright and early, walks to the first tee by seven o'clock. "It didn't really occur to me that this was such a big thing until I saw 200 people sitting there," he said. "Obviously they thought

it was quite important and it gave me a few butterflies, but if my drive didn't come straight out of the middle of the club, at least I hit it down the middle of the fairway."

Indeed, he did. Webster was, over the next 4½ hours, to hold his own in company with the beely and appreciably gifted Argentinian, Angel Cabrera, and the 22-year-old from Swindon, David Howell. Those first off the tee so early on the first morning are known as the "dew-sweepers", the pathfinders who can set the tempo for 156 of the world's finest exponents.

"Good morning, ladies and gentlemen. May I welcome you to the 126th Open golf tournament," Ivor Robson, the starter, immaculate in his powder blue blazer and his precision, announced. The clock behind the tee struck 7.15am. Robson called: "This is game No. 1. On the tee, Shaun Webster." With that, we were off, a tournament that embraces multimillionaires, that totals £1.6 million in prize-money and that will offer Webster not a bean. Cabrera, though, is certainly after the

cash. He has two young mouths to feed, he smites the ball an awfully long way, with a low trajectory and, in registering a first round of 70, one under par, Cabrera was, indeed, to set the pace for the bigger names that follow.

With the wind at their backs, they left that first, narrow fairway and left virtually the entire complement of early-bird fanatics huddled together for warmth behind them. There was no one around the corner: the grandstands, later to overflow for Tiger Woods, were like skeletons, the BBC television cameras hidden beneath green tarpaulins. The sea to the right was grey and inhospitable, the sky above a patchwork of heavy grey clouds. And that wind kept coming, kept changing the skyline, and kept those on the virgin turf moving at their brisk pace.

It is a strange, compact course, bordered to one side by water, to the other by a busy railway line. With Prestwick airport beyond the 9th hole, the golfers were becoming surrounded by the distracting noises of land and sea and air.



Webster clocks on at Royal Troon yesterday and sets the championship in motion

And with no trees on the course — the sandy soil deprives Troon of those — it was indeed a bleak early morning. Cabrera, swinging freely with the wind, was the first to find length, hitting a mighty

three-wood on the 557-yard 4th hole and then, at the longer 6th, producing a drive of 369 yards, the longest of the day until Woods drove 435 yards at the 4th. Howell was

first to find the hazards, dropping into a burn at the 3rd, wiping out his excellent start of two birdies with a six, visiting bunkers and gorse.

Webster, so new to this moribund level that he does not yet wear a sponsor's cap, was being caddied by his father, Paul. Shaun Webster, a golfer since he was seven, was demonstrating ample power with his driver, good control with his irons and, on the outward nine, solid putting. He reached the turn in 36, one stroke more than Cabrera, one fewer than Howell.

However, the turn, as later exponents as experienced as Tom Watson and Greg Norman were to concede, was vicious. "It was like playing two different golf courses, downwind and then back into the wind," Norman said. "You've got to use every aspect of your game in conditions like these. You've got to sense it, feel it, be as near faultless as you can."

Excusably, therefore, Webster, the rookie, immediately found that the homeward half required a different application, a different strength. He took a double-bogey six at the 10th and was to bogey three more holes, but also to claim a birdie at the 14th to finish with an acceptable 75, one stroke fewer than Colin Montgomerie. Howell, steady but never able to regather lost ground,

also finished on 75, but Cabrera was away from both of them.

This Argentinian, from Córdoba, was also experiencing his first Open in Britain. "I like this course, though I think I play better on normal courses," he said. "I was pleased, especially with my putting. I was pleased with everything, apart from the 13th."

This was where the test of all Scotland's guests might be measured. Cabrera, until then almost serene as he strolled at albatross and watched bemused as a swallow playfully followed the flight of his putts, lost concentration. "I had a bad drive and a bad chip," he said. A bad putt, too, for he missed from two feet.

He and his two young English escorts had christened the 1997 Open. Then Webster, such an unassuming and pleasant young man from Lifford, near Crawley, was almost swept aside as a posse of television cameramen backpedalled towards him. Their interest? Of course, Tiger Woods, little more than a year the senior of England's debutant.

Knowing Norman shows elements enough respect

By Mel Webb

ALMOST without exception, the best players in the world have come to Royal Troon this week hoping for the wind to blow, and blow hard. Those who have respect for the game know that the elements play a huge part in Open Championship history: it is not what it should be if the wind and the rain stay away.

It sounds all very altruistic, does it not? Nobody is bigger than the game and the great courses on which it is played, all that stuff. Well done, chaps, we're proud of you for putting the traditions of golf first. Get these behind me, thou birdie-packed round, for thou art the instrument of the devil.

Unfortunately, it is not quite that simple, or unselfish for that matter. Because the second, latter, but probably more crucial reason why a howling gale is hoped for by the great and the good is their very greatness and goodness.

The better player you are, the better you are likely to play in all conditions. By and large, an Open Championship course without at least an enthusiastic breeze, but preferably a howling gale, is a dowager lady waiting to be robbed of her jewels.

Whip up even half a storm, however, and the leisty old girl tightens her girdle and beats off attempted muggers from all points of the compass.



except those armed with the unanswerable heavy weapons of talent and imagination.

Given that, nobody should be too surprised that Greg Norman produced one of the best rounds of the first day in a 30mph wind yesterday. It was the first competitive round that he had played at Royal Troon since he broke the course record, with a 64, on the final day of the 1989 Open. That was a shining, spectacular and breathtaking performance — but, when placed in context, it was little better than the score with which he graced the championship yesterday.

A 69 it was, a classical round of golf in classical Open weather. Norman has been brimming over with Great White Sharkness in practice, and he needed every last drop of it on this day.

He knew, as did everybody else in the field or in the know, that a score that would stand up to scrutiny at the end of the day would have to be assembled on the front nine. The

prevailing wind comes from the northwest and only one hole, the 126th — the Postage Stamp — is played against it going out.

Conversely, only one hole, the 12th, is played with it coming back. You want a score at Royal Troon? You had better accept, then, that you will have to make it on your way out, for the second you turn for home, it is tough, in bold type and with an exclamation mark.

Norman knew it, so he did it: simple as that. He birdied the 3rd from 18 feet, then chipped from the back of the green to two feet and made the putt on the 4th. He dropped a shot on the 5th, where he took two putts from five feet, but birdied the 7th after a delicious running chip that hugged the ground like a gundog's nose.

He birdied the 9th, as well — a four-iron for safety, a nine-iron from the semi-rough and a six-foot putt. Out in 32, four under par. Now for the nasty bit. If ever there was a moment when Norman needed to gird his loins, this was it: it is pleasing to report that his golfing loins can hardly be girded better.

Lee Westwood, one of his playing partners and the best young player in Britain, let a bright start drift away around the turn and was given something of a masterclass by Norman in the artful skills of defensive golf over the closing stretch. It was impressive stuff, every bit as interesting as witnessing a glut of birdies. Norman dropped just two shots to par over those nine holes, one on the 13th, a brute of a par four, 431 yards of peril played into the face of the gale, and the other, less explicitly, on the home hole, when he chipped then took two putts from ten feet.

And then it was all over. Time for a nice cup of tea, time to reflect on a job well done. Norman said that it was not possible to win the Open on the first day, but you could sure as heck throw it away. Not an original thought, but true nonetheless. Yesterday, he did not throw it away; now for the winning of it.



Norman on his way to a two-under-par 69 yesterday



Dejected, Montgomerie trudges through the long grass, contemplating his first round of 76 yesterday. Photograph: Marc Aspland

Accuracy deserts jinxed Montgomerie

John Hopkins follows the sorry progress of the local hero who seems unable to break the cycle of poor first rounds in the Open

Colin Montgomerie's first-round jinx in the Open Championship has struck once more. Why can't he do well in an Open? He has nearly won two US Opens and a US PGA Championship. What is it that causes him so much difficulty in the Open on this side of the Atlantic?

The man who had never before had a first round of less than 70 in an Open had no difficulty in maintaining this sequence yesterday. A 76 equalled his worst opening score in an Open since he made his first appearance at St Andrews in 1990. It matched his five-over-par 76 in the first round at Muirfield in 1992.

Question: who was the golfer who was so accurate in the final of the Andersen Consulting tournament in mid-May that he made Costantino Rocca, his opponent, look

second-rate? Who was the man who played so beautifully to win the Compaq European Grand Prix at Staley Hall two weeks later?

And that blond-headed fellow who clung like a leech to the leaders at the US Open before making a mistake on the 71st hole, who was that? Was he any relation to the man who scorched around Druids Glen in 62, nine under par just 11 days ago?

The answer, of course, is Montgomerie, but you would not have known it had you watched him yesterday. Montgomerie's game is built on accuracy. He is considered to be one of the straightest drivers in the world. Yesterday he was one of the wildest. It did not matter whether he

was using a driver or three-wood, a three or five-iron; when he hit from a tee, his ball ended in the rough. In all he missed the fairway on 11 holes.

Montgomerie had to hole a five-foot putt on the 11th to avoid a fifth successive bogey. He then had three more in the next four holes and it took a brilliant bunker shot on the 18th, in full view of the members of Royal Troon, for him not to finish with what would have been his eighth bogey of the day.

There were mitigating circumstances for Montgomerie, who showed some newfound maturity in the way that he kept his head. A year ago he could not have done this. He fussed and fretted about pho-

tographers, intrusive spectators and goodness knows what else last year at Royal Lytham. This year, by contrast, he maintained a tight rein on his temper. Even when he drove onto a path across the 18th fairway and found himself in the lenses of some photographers, he

shook them away with something — approaching good grace. "Out of the way, lads," Montgomerie said. "Come on. You've done well so far."

The wind turned the homeward nine into something approaching a route march. The par of 35 was all but unattainable. When Tom Watson, one of Montgomerie's playing partners, made a par coming home he regarded it as a birdie. Only the 12th

was not into the wind and that was no consolation to Montgomerie. He drove into the rough from the tee and then hit an approach that was pulled left into a bank. His ball was surrounded by grass cuttings and he tried, vainly, to get a drop from a rules official.

"I hit only three fairways," Montgomerie said, looking suitably abashed. "I can't remember the last time that happened. It was a very, very long time ago."

Montgomerie is far from out of the championship, but he needs an outstanding round today to claw his way back into it. Rounds of 76 and worse are not unknown to him because he had a 76 in the second round at the US Open last month and an 81 in the final round at the Masters in April. Today, though, will be as much a test of his courage as his skill.

EARLY FIRST-ROUND SCORES

Great Britain and Ireland unless stated.

67: J Funk (US), D Clarke

68: G Norman (Aus), F Couples (US), J Leonard (US)

70: A Cabrera (Arg), D Love (US), A Magee (US), J Parnewik (Swe)

71: J Woodman, T Watson (US), D Tappin, C Strange (US)

72: T Purzer (US), P Leonard (Aus), S Snicker (US), P-J Johansson (Swe), R Russell, T Kite (US), B Andrade (US), M Bradley (US), J Lomas, T Woods (US), B Langer (Ger)

73: M McCann (US), C Watson, L Westwood, J Nicklaus (US), P Stewart (US), M O'Meara (US), M Wiebe (US)

74: M Calcavecchia (US), E Romero (Arg), S Maruyama (Japan), S Ames (Trin), W Riley (Aus), G Clark, F Nobilo (NZ), T Lehman (US)

75: S Webster, D Howell, R Bonal, W Westner (USA), P-J Johansson (Swe), J M O'Connell (US), P Broadhurst, D Russell, E Es (SA), C Rocca (It), P Harrington, P Mitchell

76: F Bachman (US), E McGinley, J Maggert (US), A Coran (D), R McPherson (US), A Gray (US), C Montgomerie (US), D Deni (US), J Cook (US), J O'Connell (Japan), L Roberts (US), P Senior (Aus), J Coates (Arg), F Nicholson (Swe), T Goggin (US), J Kennedy (US), A Cress (US), S Jones (US), M James, S Elkington (Aus)

77: J van der Veide (Fr), S Baldestros (US), B Faxon (US), V Singh (Fr)

78: J Spence, S Torrance, M McNulty (Zim), A Love, B Tway (US), P Hinton, W Bladen, D Hart (US), C Pezon (US), L Jansen (US), M Long (NZ), C Stadler (US)

79: M Miyazaki, J Jansen, R Clayton, M Poe, P Cury, S Bottomley, J Ramsey (Fr), P Hargreaves (Ger), S Young, J Garrido (US), C Parry (US), M A Martin (Sp)

80: P Starkowski (US), S Mon (Japan), P McPherson, K Duke (US), A Sandqvist, P Phillips, C Parry (US), P Green (Aus), M Brooks (US)

81: Y Taylor, G Breen (Ind), D Frost (SA)

84: B McGovern, Y Kaneko (Japan)

85: H Sato (Japan)

87: D Edlund (Swe)

92: I Baker-Finch (Aus)

* denotes amateur

WORLD RANKINGS (US unless stated), 1. Woods 10.50; 2. E Es (SA) 10.50; 3. G Norman (Aus) 10.46; 4. C Montgomerie (US) 9.67; 5. N Price (Zim) 9.57; 6. T Lehman 9.52; 7. S Elkington (Aus) 8.69; 8. J Cook (Japan) 7.91; 9. M O'Meara 7.61; 10. P Middleton 7.18; 11. N Faldut (Eng) 7.05; 12. B Faxon 6.80; 13. F Couples 6.74; 14. S Hoch 6.56; 15. J Parnewik (Swe) 6.53; 16. D Love 5.54; 17. B Langer (Ger) 5.22; 18. J Woodman (Wales) 5.20; 19. J Leonard 5.12; 20. T Watson 5.10; 21. V Singh (Fr) 5.02; 22. F Nobilo (NZ) 5.00; 23. S Jones 4.90; 24. M McNulty (Zim) 4.74; 25. L Roberts 4.56; 26. D Duval 4.47; 27. P Starkowski 4.44; 28. J Funk 4.42; 29. M Brooks 4.24; 30. C Stadler 4.09; 31. S Snicker 4.04; 32. J Maggert 4.02; 33. T Toles 4.00; 34. C Rocca (It) 3.94; 35. L Westwood (Eng) 3.81; 36. L Jansen 3.76; 37. S Haraguchi (Japan) 3.63; 38. C Parry 3.56; 39. M Bradley 3.49; 40. J Cook 3.45; 41. P Stewart 3.44; 42. J Sluman 3.33; 43. B Tway 3.29; 44. K Perry 3.22; 45. D Frost (SA) 2.77; 46. D Clarke (N Ir) 3.19; 47. S Watts 2.14; 48. J Haas 3.10; 49. M Calcavecchia 3.08; 50. P Funk 3.05.

TODAY'S TEE-OFF TIMES

Great Britain and Ireland unless stated

07.15: W Bladen, A Cress, P Hargreaves

07.25: S Young, G Orr, D A Russell

07.35: D Hart (US), I Garrido (Sp), M Bradley (US)

07.45: C Strange (US), J Lomas, E Es (SA)

07.55: D Edlund (Swe), J Funk (US), Y Kaneko (Japan)

08.05: D Clarke, S Jones (US), F Nobilo (NZ)

08.15: M James, M Wiebe (US), C Pavin (US)

08.25: C Rocca (It), L Jansen (US), M Long (NZ)

08.35: B Faxon (US), J Parnewik (Swe), R Green (Aus)

08.45: T Woods (US), B Langer (Ger), S Snicker (US)

08.55: M A Martin (Sp), D Duval (US), C Parry (Aus)

09.05: M A Martin (Sp), T Lehman (US), V Singh (Fr)

09.15: P Middleton, C Stadler (US), D Frost (SA)

09.25: P Hargreaves (Ger), P McPherson (US), G Phillips (SA)

09.35: M A Martin (Sp), D Duval (US), G Tuley (NZ)

09.45: P Hargreaves (Ger), J Hackett (US), Kim Jong-park (S Kor)

10.05: A Cress (Ger), P McPherson (US), S Appleby (Aus)

10.15: R Harrison (US), P Baker, R Davis, C Clark (US)

10.25: P McPherson (US), B Howard, J Payne

10.35: G Brand Jr, G Day (US), C Mason

10.45: P Fuke (Swe), J Killy, J Jutter

10.55: M Bradley, P Tassanar (US), S Dunlop (US)

11.05: M Miller, G Murphy, M Marat (Sng)

11.15: L Balchelor, K Eriksson (Swe), C Clark

11.25: R Jacquelin (Fr), G Dodd (Aus), J Steinkamer (Ned)

11.35: S Webster, A Cabrera (Arg), D Howell

11.45: T Purzer (US), R Bonal, W Westner (USA)

11.55: P Blackner (US), J Spence, S Snicker (US)

12.05: N Sato (Japan), P McGinley, B Watts (US)

12.15: R Gossan (SA), S Torrance, P Tappin

12.25: P Leonard (Aus), C Watson, J Maggert (US)

12.35: L Westwood, S Snicker (US), G Norman (Aus)

12.45: P-J Johansson (Swe), S Mon (Japan), J Nicklaus (US)

12.55: C Montgomerie, T Watson (US), M McNulty (Zim)

13.05: R Russell, F Couples (US), E Romero (Arg)

13.15: A Cress, M Calcavecchia (US), D Robertson

13.25: T Woodman, R Appleby (Aus), P Starkowski (US)

13.35: M O'Meara (US), S Maruyama (Japan), A Lytle

13.45: Y Kaneko (Japan), J Cook (US), S Ames (Trin)

13.55: J M Chastel (Sp), T Kite (US), N Clark (US)

14.05: P Broadhurst, J Leonard (US), W Riley (Aus)

14.15: J van der Veide (Fr), L Roberts (US), P Senior (Aus)

14.25: D Love (US), S Baldestros (Sp), H Miyazaki (Japan)

14.35: R Clayton, R Tway (US)

14.45: R McPherson, W Andrade (US), M Ra

14.55: A Magee (US), P Cury, J Coates (Arg)

15.05: K Duke (US), S Bottomley, Y Taylor (US)

15.15: A Sandqvist, G Clark, S McGovern

15.25: J Ramsey (Fr), V Phillips, D Tappin

15.35: R Harrison (Swe), T Goggin (Ger), C Parry (US)

15.45: J Kaneko (US), G Ghee (Ind), P Hinton

* denotes amateur

16.05: P Broadhurst, J Leonard (US), W Riley (Aus)

16.15: P Broadhurst, J Leonard (US), W Riley (Aus)

16.25: P Broadhurst, J Leonard (US), W Riley (Aus)

16.35: P Broadhurst, J Leonard (US), W Riley (Aus)

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19.45: P Broadhurst, J Leonard (US), W Riley (Aus)

19.55: P Broadhurst, J Leonard (US), W Riley (Aus)

20.05: P Broadhurst, J Leonard (US), W Riley (Aus)

20.15: P Broadhurst, J Leonard (US), W Riley (Aus)

The unbearable politeness of being a fan

LYNNE TRUSS



Kicking and Screaming

There is a rather disturbing image that people keep using about Tiger Woods. The Pied Piper, they call him. I think it is supposed to be a compliment to his charisma — but it's odd when you consider what the Pied Piper did to all those kiddies in that very grim poem.

If memory serves, the kiddies were led over hill and dale and then never heard of again. Since "juveniles" were famously let in free at Royal Troon yesterday, to encourage adoration of their role model, perhaps the Hamelin analogy should be dropped in the interests of good taste. But it's undeniable that people just follow him around — and I don't mean those famous stone-faced bodyguards with their martial arts, coiled-spring crouch.

Following people around is what you do at golf tournaments. It leaves you pink of face and aching of calf but, if it's four miles, it's four miles, and that's that. It is not the only option, however. Oh no.

This being my first golf event, I have arrived unaided at the conclusion that you can either a) sit still in a nice grandstand beside the 14th green and let the golf go past, thus clocking every player of the day; or b) wear yourself to a pink-faced fizzle following just one threesome over hill, tussock and glen, occasionally stopping at the back of the throng to gaze hopelessly at the back of people's heads and curse the invention of the stepladder.



A packed gallery watches in dutiful near-silence as Woods goes about his business on the 6th green yesterday. Photograph: Marc Aspland

The right answer to this choice is a), obviously. How I came to choose b) is a mystery to me still, but there you go.

Woods emerged from the clubhouse to remarkably little hoo-ha yesterday at 12.45. His fans stood in silent admiration as he practised putting and were reprimanded for taking unlicensed snaps. Nobody whistled or called. Nobody heard so much about rowdy crowd behaviour surrounding Woods in the United States, I

found myself suppressing an out-of-place "Ooh" when a 20-yarder skimmed the hole, because I found I was cooing alone.

To be honest, seeing Tiger Woods in the flesh was a bit much for me, really. It was a pearl of infinite price for a toddler who is happy with beads on elastic. The truth is, I am in love with the golf swing, and there's not a chap in this championship whose follow-through does not leave me

gasping in admiration at its sheer beauty.

"Whap!" goes the tee-shot, and I let out a little orgasmic yelp, every time. On Wednesday, I saw Phil Mickelson idly whipping on the driving range and was so excited by his perfect, beautiful swing (and left-handed! Think of that!) that I nearly passed out.

Non-golfing friends are apt to laugh at this little weakness of mine. But, with a faraway look, I describe the exquisite

graceful final position (the weight on the left foot, the right knee resting across the side. But his main thing is his aura of greatness, which is why golf-loving folk run after him, carrying stepladders. The number of privately-owned ladders at the Open yesterday made an impression on me, as you can tell. Only in mime from Eastern Europe have ladders featured so heavily in a cultural experience.

Tigermania may be a big

guess where his shots ought to land, and then walk an extra 150 yards, just to be on the safe side. But his main thing is his aura of greatness, which is why golf-loving folk run after him, carrying stepladders. The number of privately-owned ladders at the Open yesterday made an impression on me, as you can tell. Only in mime from Eastern Europe have ladders featured so heavily in a cultural experience.

thing to hit golf but, to be honest, it should still not be confused with Hermania or other kinds of sports mania that involve a lot of shouting, rhythmic clapping or Mexican waves. Golf is a strictly regulated world, in which women are removed by force from seating areas and fans are told off for using a camera.

Between shots, and between holes, the crowds surge quietly and efficiently from one vantage point to the next, like children doing a fire drill at school. The nearest the Woods fans got to bad behaviour in his first round yesterday was walking away from the 5th green before his playing partner, Bernhard Langer, had completed the hole. It was very shocking.

Personally, because I'm not pushy enough, I saw very little of Woods's game first-hand yesterday. I got hold of the erroneous idea that I could stay one step ahead of the

The truth is, I am in love with the golf swing. The follow-through leaves me gasping

mob: when he was driving, I would make for the green; when he was putting, I would make for the mid-point of the next fairway.

This was a mere demonstration of hope triumphing over experience, however. Whether to buy my own stepladder is not a real choice for the second round today, because I always get vertigo on stepladders and fall off. When decorating, I make the more solid choice of standing on a sideboard, but somehow the idea of pushing a sideboard four miles is even less appealing than studying the fastenings on the backs of people's beany-hats.

Rather rash of Colin Montgomerie, incidentally, to tell Radio 4 yesterday that his home crowd might copy the Woods phenomenon — thus creating Colinmania, presumably. But could Colin cope with Colinmania? Has he sufficient strength of character? We may never know.

FOOTBALL

Ravanelli transfer collapses over pay

By DAVID MADDOCK

FABRIZIO RAVANELLI'S proposed transfer to Everton collapsed yesterday over his pay demands. The Middlesbrough forward apparently rated his services in the £50,000-a-week bracket, a figure that Everton, unsurprisingly, balked at. Howard Kendall, the manager, said that his club simply could not meet such demands.

"Fabrizio is on a very good contract where he is and we always felt that meeting his terms would be the most difficult stage of the deal," he said. "We tried hard and we came back quickly to make a final offer in the morning, but it was unacceptable to him and his advisers."

Kendall's sights might now be set on Gianluca Vialli, another Italy international who performs a similar forward role. The player would be available from Chelsea for a fee of about £1 million and even though Kendall suggested last week that his interest in the 33-year-old was slight, that has now changed given Ravanelli's stance. The fact that Everton were prepared to pay £7.5 million for the Middlesbrough forward, suggests that the club will have no difficulty in meeting what would be a substantial salary package for Vialli.

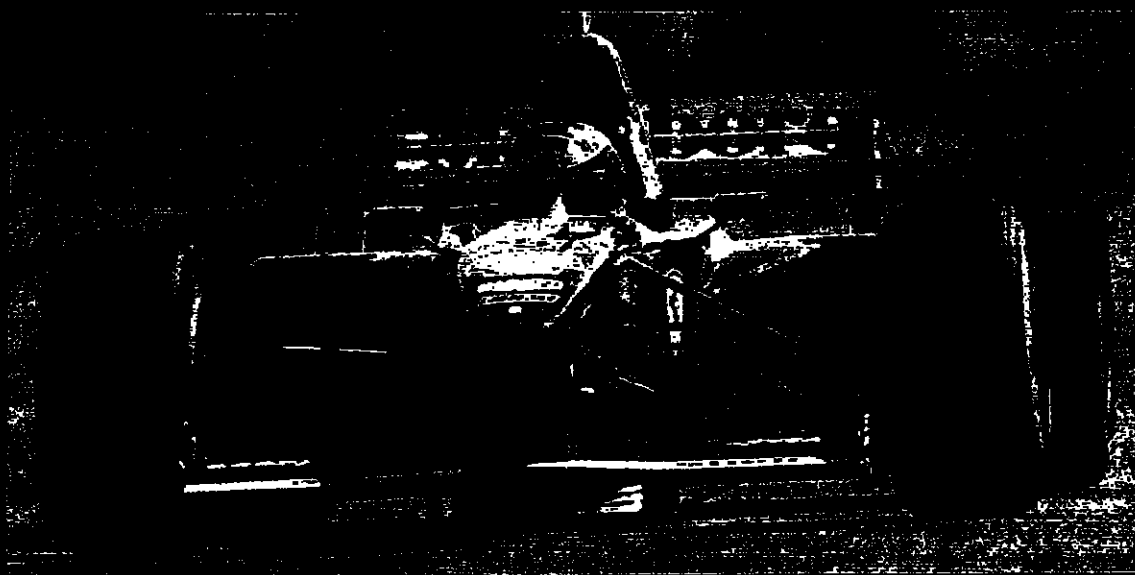
Matthew Le Tissier, the Southampton and England forward, is expected to miss the start of the season after breaking an arm in a warm-up match in Germany. Le Tissier fell awkwardly during the 1-1 draw with SVF Ansbach.

The destination of Roberto Baggio, the AC Milan player wanted by Derby County, remained uncertain yesterday. Bologna's manager, Renzo Ulivieri, said he was certain to join his club, but the Milan general manager, Adriano Galliani, said: "We had agreed Bologna's terms. But Baggio has had bids from two English clubs he wants to examine."

EXCLUSIVE TIMES NEWSPAPERS GRAND PRIX COMPETITION



Fantasy Formula One race hot up for our £25,000 top prize



HOW THE POINTS WERE SCORED AT SILVERSTONE

Qualifying points (scored by qualifying for the start of each grand prix within the first 20 positions on the grid): Pole J Villeneuve 30 points; 2 HH Frenzen 25; 3 M Hakkinen 24; 4 M Schumacher 23; 5 R Schumacher 22; 6 D Coulthard 21; 7 E Irvine 20; 8 J Herbert 18; 10 G Fisichella 17; 11 J Alesi 16; 12 D Hill 15; 13 J Trulli 14; 14 S Nakano 13; 15 J Magnussen 12; 16 P Dintz 11; 17 M Salo 10; 18 U Katayama 9; 19 J Verstappen 8; 20 T Marques 7. (Position 8 on the grid was taken by A Wurz, who is not in the competition).

Finishing points (scored for the top 20 positions at the end of every grand prix): 1st J Villeneuve 60 points; 2nd J Alesi 50; 4th D Coulthard 30; 5th R Schumacher 29; 6th D Hill 28; 7th G Fisichella 27; 8th J Trulli 26; 9th N Fontana 25; 10th T Marques 24; 11th S Nakano 23. (Only 10 finished. S Nakano was classified although he did not finish the race. A Wurz, who is not in the competition, was third.)

Lap points (one point for each lap completed): J Villeneuve 59 points; J Alesi 58; D Coulthard 58; R Schumacher 58; D Hill 58; G Fisichella 58; J Trulli 58; N Fontana 58; T Marques 58; S Nakano 57; M Hakkinen 52; J Magnussen 50; J Verstappen 45; E Irvine 44; M Salo 44; J Herbert 42; M Schumacher 38; R Barrichello 37; P Dintz 29.

Improvement from starting grid to finishing position (3

points for each improved place): N Fontana 39 points; T Marques 30; J Alesi 27; D Hill 18; J Trulli 15; G Fisichella 9; S Nakano 9; D Coulthard 6.

Fastest lap time of grand prix M Schumacher 10 points.

Penalty points Incident resulting in a driver being made to start from back of grid or pit lane (10 points deducted): H-H Frenzen -10 points.

Did not finish the race (10 points deducted): E Irvine -10 points; HH Frenzen -10; J Herbert -10; J Magnussen -10; J Verstappen -10; M Hakkinen -10; M Salo -10; M Schumacher -10; P Dintz -10; R Barrichello -10; S Nakano -10; U Katayama -10. Not starting after qualifying (10 points deducted): none.

Speeding in the pit lane (5 points deducted): none.

CONSTRUCTORS Finishing points (scored for the first car only in the top 20 positions at the end of every grand prix): Williams 30 points; Benetton 25; McLaren 23; Jordan 22; Arrows 21; Prost 19; Sauber 18; Minardi 17. Penalty points Incident resulting in a car being made to start from back of grid or pit lane (10 points deducted): Williams -10 points.

Elimination of a car during the race (10 points deducted): Ferrari -20 points; Tyrrell -20; Stewart -20; Williams -10; McLaren -10; Prost -10; Arrows -10; Sauber -10; Minardi -10. Not starting after qualifying (10 points deducted): none.

Speeding in the pit lane (5 points deducted): none.

The top of our Fantasy Formula One leaderboard in the race for our £25,000 top prize is headed by L Ackland from Guildford, Surrey. His team, Aston O, has a total of 6,765 points after scoring 846 points in last week's British Grand Prix at Silverstone. His team comprises M Schumacher, Alesi, Irvine, Trulli, Fisichella, Fontana, Benetton, McLaren, Ferrari, Sauber, Minardi and Lola. W Patterson of Newtownabbey, Co Antrim, wins a trip for two to the Belgian Grand Prix. His team, Wasps GP, scored 1,122 points at Silverstone, including the maximum 300 bonus points, and comprises Villeneuve, Alesi, Hill, Trulli, R Schumacher, Fontana, Williams, Benetton, Jordan, Arrows, Sauber and Tyrrell. J Haile from Bristol, wins a Sony PlayStation and CD-Rom game. His team, Hailes-Snails, scored 1,118 points which included the maximum 300 bonus points.

TO ENTER make three selections from each of the four groups below and call 0891 405 001 (+44 990 100 311 outside the UK). The order in which you register your first three drivers will be your predictions for the 1st, 2nd and 3rd finishing places for the Belgian Grand Prix and other grands prix where bonus points apply. TRANSFERS Change up to four selections before the German Grand Prix by calling 0891 555 994 (+44 990 100 394 ex UK) before noon on Thursday, July 24. CHECK YOUR SCORE Check your score and position by calling 0891 884 648 (+44 990 100 348 ex UK). CLARIFICATION: Rule 2 applies to the transfers and replacements on the table below. The cumulative figure for Prost published after the Canadian Grand Prix has been adjusted downwards by 10 points as his car did not finish in that race. All entrants scores are correct.

OUR LEADERBOARD AFTER THE BRITISH GRAND PRIX			
POS	TEAM NAME	MANAGER NAME	POINTS
1	Aston O	L Ackland	6765
2	Coolport	D Coolican	6611
3	Dragon Racing	R Davis	6608
4	Gwilt F1	D Gwilt	6596
5	Formula Jno	P Tabone	6520
6	The Tigglers	"Mr R"	6514
7	Scuderia Vincitore	S Lorenti	6514
8	Cathy's Clowns	Mrs C Robinson	6514
9	Bezzotti Racing	A Scott	6514
10	F1 Erb	S Erhom	6514
11	Laura's Rob	J Smith	6508
12	Sour Mash	R Owens	6497
13	Will And Nerve	A Mewes	6493
14	Cartell Racing	S Dimetto	6493
15	Smith-Astra	D Smith	6491
16	Parkhurst Racing	L Danson	6462
17	Team Julius II	C Gale	6454
18	Midnight Rovers	C Newman	6446
19	Cyclops	R Bohee	6446
20	Goldfinch	S Goldfinch	6446
21	Freaks	F Retkowsky	6446
22	Becks Racing Team	M Kingdon	6440
23	What Alesi Bunch!	N Rowe	6440
24	Walte Racing F1	P Walte	6437
25	Chris-Williams	C Quagliero	6417

MAKE THREE SELECTIONS FROM EACH OF THE FOUR GROUPS BELOW			
The first column of figures, in light type after the names below, shows the Fantasy Formula One race scores for the British GP. The second column shows the total points in the competition so far.			
DRIVERS			
GROUP A		GROUP B	
01 D Hill	120 499	13 J Trulli*	113 998
02 M Schumacher	61 1073	14 J Verstappen	43 608
03 J Villeneuve	149 888	15 U Katayama	-1 514
04 E Irvine	54 858	16 P Dintz	30 470
05 J Alesi	152 997	17 R Rosset	0 0
06 G Berger	0 653	18 R Schumacher	110 563
07 M Hakkinen	66 736	19 G Fisichella	111 869
08 D Coulthard	116 788	20 S Nakano	92 577
09 R Barrichello	27 448	21 N Fontana*	122 828
10 H Frenzen	5 835	22 T Marques*	119 609
11 J Herbert	50 740	23 J Magnussen	52 481
12 M Salo	44 738	24 V Sospiro	0 0
CONSTRUCTORS			
GROUP C		GROUP D	
25 Williams	10 127	31 Arrows	11 -56
26 Ferrari	-20 160	32 Sauber	8 90
27 McLaren	13 100	33 Tyrrell	-20 -11
28 Benetton	25 155	34 Minardi	7 39
29 Jordan	22 82	35 Stewart	-20 -79
30 Prost	9 90	36 Lola	0 0

FANTASY FORMULA ONE 24-HOUR ENTRY LINE: 0891 405 001
+44 990 100 311 outside the UK
0891 calls cost 50p per minute (standard tariffs apply to +44 990 calls). For inquiries call 01582 702 720, Mon-Fri, 9am to 5pm

The low road to the truth about architecture

When they give out the prizes for the best of the year, I think the makers of *How Buildings Learn* (BBC2) can safely say at home that night. But despite the apparent determination to make as few people as possible watch it, the series is emerging as one of the great unexpected treats of the summer. Its television that somebody has put real thought into — and when did we last see any of that?

That somebody is Stewart Brand, who, inevitably, has written a book on the same subject and who, inevitably, is American. But we can forgive him both: simply because his arguments are so appealing and so cogently put. His basic contention is that architects get it wrong, particularly in terms of courtyards, popularity is right up there with lawyers, change too much and "politicians don't tell the truth". The difference is, he can prove it, at least to the degree

where he gets a book and a highly diverting television series out of it. Last week he kicked off by debunking the triumph of form over function in modern architecture, arguing persuasively that architects have become obsessed with how a building looks and have little interest in how it works or, in particular, how it evolves over time. Brand likes buildings that are shaped by experience, that can survive any number of generations of workers coming in and sticking drawing pins into things the architect said they shouldn't. "The main architect is time," he concluded, which, if nothing else, was a nice line.

Last night he moved on, with a celebration of those buildings where function is everything. He called them "low road", which was not quite such a winning sound-bite but made the point. We would recognise them as sheds, garages, stacks, warehouses, mobile

homes — or collectively as the leftovers. Brand likes them so much he divides his working day between an old shipping container and a converted fishing boat in his back garden. But he is Californian.

Drawing on examples from both sides of the Atlantic, he showed how well such low-cost space works and in particular, how easily it adapts to the demands of different occupiers. But just as we were all thinking "that's all very well but I don't have room for a fishing boat in my back garden", he brought the whole thing closer to home. Most houses have low-road parts: a cellar, an attic, a garden shed. Because they're the parts we tend to care least about how they look, when we do convert them in a new use — home office, gym, recording studio — they work brilliantly.

But before you could shout "Why didn't I think of that?" you

REVIEW



Matthew Bond

realised that all sorts of people had. It's how a whole sector of property development now works. First the artists move into the cheapest redundant space they can find; then it becomes fashionable, and then the developers move in, buying studios and turning them into loft apartments. We all know at least one area where that has happened, and as Brand concluded, "the same sequence is no

doubt beginning somewhere else". But where? Follow that easel.

Chris Patten is about to move to distinctly high-road Barnes, south-west London. But for now, as far as I know, he is still on holiday in France. If he's got any sense, he will stay there until The Last Governor (BBC2) is over. Three weeks in, it resembles nothing so much as a terrible traffic accident happening in slow motion. Much more of this and Patten will look back at his close encounter with Jonathan Dimbleby about as fondly as the Prince of Wales.

For, despite Dimbleby's best endeavours to do right by his old friend, it is becoming increasingly difficult to see Patten as anything other than naive and foolish: doubly so for inviting the cameras in. When even Baroness Thatcher reluctantly admits that the negotiating position was hopeless, you have to listen, don't you?

Sir Percy Cradock, a former

Ambassador to China and one of Patten's fiercest critics, was cast as the villain of this piece, but was actually rather splendid. He favoured negotiating what these days would be described as "the least worst outcome", rather than Patten's confrontational effort to parachute democracy into Hong Kong at the eleventh hour. "What do you think of people who describe you as a kow-tower-in-chief?" asked Dimbleby. "That they know nothing about it," Cradock replied, imperiously.

One continued annoyance is Dimbleby's curious reluctance to identify when he is undeniably impressive range of interviewees are talking. Some, such as Thatcher and Lord Young of Grafton, are clearly relatively recent, while others are — less clearly — contemporaneous with the events of 1994. Patten, being the star, is in both times at once

but, without a caption, we have no idea which is which. Only jacket lapel width and comments such as "I think there is a very good chance of the electoral arrangements we have put in place surviving through 1997" provide clues.

Finally, that's the third time this week, Mariella Frostrup is emerging as both the strength and the weakness of The Car Show, the channel's disappointingly pedestrian answer to BBC2's *Top Gear*. Her strength is that she is female; her weakness is that having quite sensibly made a handsome living by hiring out her distinctive voice to the highest bidder in the voice-over market, it is disproportionately difficult to believe that she knows what she is talking about, or, indeed, very much cares. The booming Patrick Allen, you may recall, had a similar problem after all those ads for Barratt Homes.

BBC1

- 6.00am Business Breakfast (15673)
- 7.00 BBC Breakfast News (10031)
- 8.00am Breakfast News Extra (13355302)
- 9.20 Ready, Steady, Cook (1786708)
- 9.50 Kilroy (1548876)
- 10.30 Who'll Do the Pudding? (55031)
- 11.00 News (1) and weather (7949654)
- 11.05 Due South The duo are assigned to track down a gang of bank robbers disguised as Santa Claus (1) (1255506)
- 11.50 Good Neighbours (2986437)
- 12.00 News (1) regional news and weather (8421747)
- 12.05pm Call My Bluff (1) (5104895)
- 12.35 Neighbours (1) (8852654)
- 1.00 News (1) and weather (20418)
- 1.30 Regional News (2437925)
- 1.40 Perry Mason: The Case of the Killer Kiss A soap star is murdered. Raymond Burr stars in his last appearance as the ace attorney (3569963)
- 3.10 Quinlan A nurse seeks Quinlan's help after the death of a heart-attack victim, leading the over-zealous coroner into a bizarre investigation. A medical cover-up (3531875)
- 4.00 Popcorn (1) (7805418) 4.15 To Me, You (1) (1214505) 4.35 The New World (1) (8008944) 5.00 Newsround (1) (1045012) 5.10 Record Breakers (1) (4633925)
- 5.35 Neighbours (1) (1) (8852654)
- 6.00 News (1) and weather (803)
- 6.30 Regional News Magazine (401)
- 7.00 Celebrity Ready, Steady, Cook Roy Branson and Julie Whitfield join chefs Brian Turner and Antony Worrall-Thompson (1) (3892)
- 7.30 Top of the Pops Including a satellite link-up with Jo Whiley from U2's concert in Rotterdam's Feyenoord Stadium (1) (215)
- 8.00 Only Fools and Horses The Trotters are going up in the world in this classic late-1980s episode. Del Boy has become a yuppie and Rodney has started a computer course at night school where he meets Cassandra (1) (752225)
- 8.50 Get Fit with Brittas: Doctor's Orders (1) New six-part series of comedy shorts designed to offer basic fitness advice starring a host of household names, including Chris Barrie, TV doctor Mark Porter, and Suzanne Chantrel (1) (50592)
- 9.00 News (1) and weather (803)
- 9.30 Stalk Out (1987) Seattle detective Richard Dreyfuss leads the hunt for an escaped murderer, but while maintaining surveillance on his quarry, falls for the suspect's former girlfriend. With Emilio Estevez, Madeleine Stowe and Aidan Quinn. Directed by John Badham (1) (21541)
- 11.25 U2: Rattle and Hum Live from the Feyenoord Stadium in Rotterdam (1) (484982)
- 11.55 Waterhole No. 3 (1967) A crooked sheriff, a gambler and a thief hunt for a stash of stolen booty. Western, starring James Coburn, Carroll O'Connor and Margaret Blye. Directed by William Graham (1) (73371)
- 1.25am Weather (7931109)

VideoPlus+ and the Video PlusCodes. The numbers next to each TV programme listing are Video PlusCodes, which allow you to programme your video recorder instantly with a VideoPlus+ handset. Tap in the Video PlusCode for the programme you wish to record. VideoPlus+ (V), PlusCode (P) and Video Recorder are trademarks of Camerac Development Ltd.

BBC2

- 6.00am Open University: Who Belongs to Glasgow? (7838876) 6.25 Age and Identity (5923963)
- 7.15 See Hear Breakfast News (1) and signing (8844982)
- 7.30 The Moonlight (7913050)
- 7.55 Carlton Critics (8854302)
- 8.20 Mr Bean (5532863)
- 8.35 The Record (2454012)
- 9.00 Cartoon (3564296)
- 9.10 The Phil Spector Show (1784588)
- 9.35 Great Mysteries and Myths The special of the 20th Century Insight into Japan's 1941 attack on Pearl Harbor. Last in series (2421238)
- 10.00 Teletubbies (72383)
- 10.30 International Golf: The Open Steve Rider introduces early action from round two at the Royal Troon Golf Club in Ayrshire. Peter Alliss, Alex Hay, Dave Marr, Peter Costello and Peter Thomson provide the commentary (15654)
- 12.30pm Working Lunch Adrian Chiles presents the latest business news (32645)
- 1.00 International Golf: The Open Further action from coverage from Troon in Scotland (4366186)
- 2.30 James Naughtie presents (7.30pm)
- 7.30 The First Night of the Proms James Naughtie presents coverage of the concert live from the Royal Albert Hall, introducing Beethoven's choral mass, Missa Solenne, performed by the BBC Symphony Orchestra. Featuring world-renowned soprano Karita Mattila, mezzo-soprano Catherine Wyn-Rogers, tenor Herbert Lippert and baritone Anthony Michaels-Moore. Bernard Haitink conducts. Simultaneous broadcast with Radio 3. NB: Subsequent programmes subject to change and late running (91760)
- 9.00 International Golf: The Open Steve Rider presents highlights of today's second round at Royal Troon (216418)
- 9.40 Rab C Nesbitt: More Another airing of the 1994 Hogmanay special (17126)
- 10.28 Talking Tate Willie Carson on William Powel's 1972 painting of The Derby Day (73325)
- 10.30 Newsnight presented by Kirsty Wark (1) (103437)
- 11.15 The A-Force Roy Diamond presents the last episode of the series. Ainsley Harriot guests (406470)
- 12.45am Mo'Nasty Blues (1990) Denzel Washington stars in director Spike Lee's vibrant portrait of a self-centered jazz trumpeter whose sin is care about him. Lee co-stars as Washington's friend and manager, with Wesley Snipes, Jolee Lee and John Turturro (2508190)
- 2.50 Weather (8891451)

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BBC2

- 6.00am GMTV (829166)
- 9.25 Win, Lose or Draw (1) (1770147)
- 9.55 Judge Judy (1) (4483876)
- 10.20 News (1) (8278673)
- 10.25 Regional News (1) (8277944)
- 10.30 Home Is Where the Heart Is Crime drama starring Robert Wagner and Stephanie Powers (94960296)
- 12.20pm Regional News (1) (8416031)
- 12.30 News (1) and weather (888079)
- 12.55 Designed by Emanuel (8856470) 1.25 Home and Away (1) (3758215) 1.50 Murder, She Wrote (1) (8856225) 2.50 Garden Calendar (1) (828437)
- 3.20 News (1) (8898676)
- 3.25 Regional News (1) (1995147)
- 3.30 Rosie and Jim (1) (4295321) 3.40 Carlton Time (1586944) 3.50 Zzzap! (1) (1552128) 4.00 The Travel People (1) (4111031) 4.15 The Real Cheesesters (1) (248863) 4.45 Get Wet (890286)
- 5.10 A Country Practice (160670)
- 5.40 News (1) and weather (888079)
- 6.00 Home and Away (1) (3758215)
- 6.25 HTV Weather (1) (751709)
- 6.30 The West Tonight (1) (493)
- 7.00 Beadle's Hotshots Jeremy Beadle presents spoofs and sketches made by members of the public (1) (876)
- 7.30 Coronation Street Fiona seeks solace — but with neither Alan nor Steve. With Angela Griffin and Charles Lawson (1) (383)
- 8.00 The Bill Stand by Your Man When a prisoner reveals he is being intimidated to smuggle drugs, Daily news and methods to find the supplier (1) (4708)
- 8.30 Surprise Surprise! The guests included Ant and Dec, Baywatch's David Hasselhoff, EastEnders' Wendy Richard and Cockney singing duo Chas and Dave are among the celebrity guests helping Cilla Black make a few dreams (or nightmares) come true (1) (25875)
- 9.30 Tarrant on TV (1) (1) (88857)
- 10.00 News (1) and weather (72708)
- 10.40 Caddyshack II (1988) with Jackie Mason, Ryan O'Neal, and Robert Stack. Comedy about a self-made millionaire persuaded by his social-climbing daughter to make a doomed attempt to join an exclusive golf club. Directed by Allan Arkush (1) (1062741)
- 12.55am Short Story Cinema (580513)
- 1.00 Aspen Extreme (1993) Romantic melodrama with Paul Giamatti and Fionnula Hughes. Directed by Patrick Hasbun (1) (562557)
- 3.10 Bankers' (1) (779903) 4.10 Coach (1) (2008567) 4.35 An Invitation to Remember (1) (2282387) 5.00 Coronation Street (1) (12971) 5.30 News (88068)

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BBC2

- 6.00am GMTV (829166)
- 9.25 Win, Lose or Draw (1) (1770147)
- 9.55 Judge Judy (1) (4483876)
- 10.20 News (1) (8278673)
- 10.25 Regional News (1) (8277944)
- 10.30 Home Is Where the Heart Is Crime drama starring Robert Wagner and Stephanie Powers (94960296)
- 12.20pm Regional News (1) (8416031)
- 12.30 News (1) and weather (888079)
- 12.55 Designed by Emanuel (8856470) 1.25 Home and Away (1) (3758215) 1.50 Murder, She Wrote (1) (8856225) 2.50 Garden Calendar (1) (828437)
- 3.20 News (1) (8898676)
- 3.25 Regional News (1) (1995147)
- 3.30 Rosie and Jim (1) (4295321) 3.40 Carlton Time (1586944) 3.50 Zzzap! (1) (1552128) 4.00 The Travel People (1) (4111031) 4.15 The Real Cheesesters (1) (248863) 4.45 Get Wet (890286)
- 5.10 A Country Practice (160670)
- 5.40 News (1) and weather (888079)
- 6.00 Home and Away (1) (3758215)
- 6.25 HTV Weather (1) (751709)
- 6.30 The West Tonight (1) (493)
- 7.00 Beadle's Hotshots Jeremy Beadle presents spoofs and sketches made by members of the public (1) (876)
- 7.30 Coronation Street Fiona seeks solace — but with neither Alan nor Steve. With Angela Griffin and Charles Lawson (1) (383)
- 8.00 The Bill Stand by Your Man When a prisoner reveals he is being intimidated to smuggle drugs, Daily news and methods to find the supplier (1) (4708)
- 8.30 Surprise Surprise! The guests included Ant and Dec, Baywatch's David Hasselhoff, EastEnders' Wendy Richard and Cockney singing duo Chas and Dave are among the celebrity guests helping Cilla Black make a few dreams (or nightmares) come true (1) (25875)
- 9.30 Tarrant on TV (1) (1) (88857)
- 10.00 News (1) and weather (72708)
- 10.40 Caddyshack II (1988) with Jackie Mason, Ryan O'Neal, and Robert Stack. Comedy about a self-made millionaire persuaded by his social-climbing daughter to make a doomed attempt to join an exclusive golf club. Directed by Allan Arkush (1) (1062741)
- 12.55am Short Story Cinema (580513)
- 1.00 Aspen Extreme (1993) Romantic melodrama with Paul Giamatti and Fionnula Hughes. Directed by Patrick Hasbun (1) (562557)
- 3.10 Bankers' (1) (779903) 4.10 Coach (1) (2008567) 4.35 An Invitation to Remember (1) (2282387) 5.00 Coronation Street (1) (12971) 5.30 News (88068)

James Naughtie presents (7.30pm)

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